

**ENVIRONMENTAL CHECKLIST FORM  
CITY OF HUNTINGTON BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
MITIGATED NEGATIVE DECLARATION NO. 2016-003**

**1.0 PROJECT INFORMATION**

**PROJECT TITLE:** Windward Residential Development

**Concurrent Entitlements:** General Plan Amendment No. 16-002  
Zoning Map Amendment No. 16-003  
Zoning Text Amendment No. 16-004  
Local Coastal Program Amendment No. 16-002  
Tentative Tract Map No. 18060  
Conditional Use Permit No. 16-035  
Coastal Development Permit No. 16-018  
Development Agreement No. 16-001

**LEAD AGENCY:** City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648

**Contact:** Tess Nguyen, Associate Planner  
**Phone:** (714) 536-5271

**PROJECT LOCATION:** 17202 Bolsa Chica Street (east side of Bolsa Chica Street,  
south of Los Patos Avenue) (refer to Figure 1)

**PROJECT PROPONENT:** Signal Landmark  
27271 Las Ramblas Suite 100  
Mission Viejo, CA 92691

**Contact Person:** Ed Mountford  
**Phone:** (949) 351-3334

**GENERAL PLAN DESIGNATION:** OS-P (Open Space – Park)

**ZONING:** RA-CZ (Residential Agriculture – Coastal Zone)

**PROJECT DESCRIPTION** (Describe the whole action involved, including, but not limited to, later phases of the project, and secondary support, or off-site features necessary for implementation):

The proposed project involves a request to amend the General Plan and zoning land use designations and establish the Windward Specific Plan for the subdivision and construction of 36 townhome units, open space, and associated improvements on 2.5 acres of an existing privately-owned 5-acre Windward site and a 0.3-acre City-owned parcel (north of the project site) in the coastal zone. The Windward site and City-owned parcel are currently designated as Open Space – Parks (OS–P) in the General Plan and zoned Residential Agriculture – Coastal Zone Overlay (RA–CZ). The Windward site is undeveloped, although a portion of the property was previously used as a construction staging area for the adjacent Brightwater residential development. The City-owned parcel is currently used as an informal trail by the public to access the Shea property to the east of the Windward site.

The project proposes to amend the General Plan land use designation from Open Space – Parks (OS–P) to Residential Medium Density – 15 dwelling units per acre (RM) for the western half (2.5 acres) of the Windward site and maintain the land use designation of Open Space – Parks (OS–P) for the eastern half (2.5 acres) of the Windward site and the City-owned parcel (0.3 acre). The project proposes to amend the Residential Agriculture – Coastal Zone Overlay (RA–CZ) zoning designation for the Windward site (5 acres) and City-owned parcel (0.3 acre) to Specific Plan – Coastal Zone Overlay (SP–CZ). The project also consists of a zoning text amendment to establish the Windward Specific Plan for the development of the residential townhome project and dedication of open space. Under the Specific Plan, the western half (2.5 acres) of the Windward site is designated for medium density residential development while the eastern half (2.5 acres) and the City-owned parcel (0.3 acre) are designated for coastal conservation (public open space). The Specific Plan determines the land use, zoning, development standards, and infrastructure for the site. In addition, the City’s certified Local Coastal Program is proposed to be amended to reflect the land use changes. The project also includes a development agreement between the City and the Applicant to set forth and confirm the open space commitments of the proposed project, among other things.

	General Plan Designation		Zoning Designation	
	Existing	Proposed	Existing	Proposed
Windward Site (5 acres)	OS–P	RM–15 western half 2.5 acres  OS–P eastern half 2.5 acres	RA–CZ	SP–CZ  Residential western half 2.5 acres  Coastal Conservation eastern half 2.5 acres
City-Owned Parcel (0.3 acre)	OS–P	OS–P	RA–CZ	SP–CZ  Coastal Conservation

The residential development consists of the subdivision and construction of 36 townhome units, 3,800 square feet of common open space, and associated improvements on the western portion (2.5-acres) of the Windward site. The residential units are duplex townhomes with four different floor plans, featuring three

bedrooms and ranging in size from 2,087 to 2,202 square feet in living space with attached two-car garages. Each unit is three stories with a roof deck at a maximum height of 34.25 feet. Private open space for each unit is provided on the first floor in either the front or rear depending on the floor plan, on a second story balcony and on the third floor roof deck. A recreation area will be constructed on the northwest corner of the residential development area that will include a swimming pool, fireplace, restroom, and seating for the use of the residents. Access to the site includes two ingress/egress driveways along Bolsa Chica Street. The project is proposing construction of infrastructure improvements including street, curbs, sidewalks and storm drain facilities. The project is proposing a one-lot subdivision in accordance with the Subdivision Map Act. The tentative tract map is also subject to Title 25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and is required to be reviewed by the City's Subdivision Committee to ensure compliance with the Subdivision Map Act, Title 25 of the HBZSO and any other related applicable codes.

### **Open Space/Passive Park Plan**

The Specific Plan provides a comprehensive program to direct development of the residential and passive open space areas of the Windward site and City-owned parcel. As a part of the residential development of the western half of the Windward site, the eastern half is proposed to be dedicated to a government agency or a qualified non-profit for use as passive open space. No construction or development within the open space area is proposed. In addition, the terms of the proposed development agreement would require the developer to purchase the 6.2-acre Goodell property (undeveloped property immediately south of the Windward site located in unincorporated Orange County in unincorporated Orange County) and dedicate the property to a government agency or a qualified non-profit for passive open space purposes prior to beginning construction of the residential project.

The open space portion of the Windward site is designed with a pedestrian trail which includes interpretive signage and a scenic overlook. To facilitate public access to the property, a trail system is proposed. A decomposed granite pedestrian trail would be installed on the City-owned property and connect the City-owned property to the Windward site open space area and ultimately to the Goodell property. The plan is to initially create a trail loop that starts at the southeast corner of Bolsa Chica Street and Los Patos Avenue, extends easterly through the City-owned property, which is proposed to be improved with a decomposed granite trail and landscaping, then turning southerly across the Windward site, and then turning westerly to intersect back at Bolsa Chica Street. The trail will be located at the highest elevation of the project site providing an opportunity for a scenic overlook node offering trail users unobstructed views of Saddleback Mountain in south Orange County. The trail would feature interpretive signage that would provide users with information regarding the property's rich history. Ultimately, the trail system could be extended onto the Goodell property to create a network of trails that provide users with a variety of experiences.

### **Construction Scenario**

Construction of the homes would be completed in three to four phases. Each phase of construction would take approximately five months. Rough grading and infrastructure for the project would be accomplished in a single phase approximately one month in duration. The development project site is generally flat, however, portions of the site slope gradually from west to east at elevations ranging from approximately 52 feet above mean sea level (msl) to approximately 47 feet msl. Finished pads on the west side of the residential project site, adjacent to Bolsa Chica Street, will remain relatively the same as the existing elevation. The eastern portion of the residential project site adjacent to the open space area would be raised two to four feet over existing elevations requiring approximately 2,900 cubic yards of cut and 2,100 cubic yards of fill. The remaining soil would either be reused onsite or hauled off site.

## **Project Entitlements**

The proposed project requires the following entitlement requests:

- General Plan Amendment: to amend the Land Use Designation from Open Space – Parks (OS–P) to Residential Medium Density (RM) for the western half (2.5 acres) of the 5-acre Windward site;
- Local Coastal Program Amendment: to amend the certified Land Use Plan from Open Space – Park (OS–P) to Residential Medium Density (RM) for the western half (2.5 acres) of the site and to reflect the Zoning Map and Text Amendments described below;
- Zoning Map Amendment: to amend the existing zoning designation of Residential Agriculture – Coastal Zone Overlay (RA–CZ) to Specific Plan – Coastal Zone Overlay (SP–CZ) on the entire project site;
- Zoning Text Amendment: to establish the Windward Specific Plan for the development of the residential townhome project and dedication of open space;
- Tentative Tract Map: to subdivide the approximately 5-acre lot into one numbered lot (residential development for 36 townhome units) and one lettered lot (open space area);
- Coastal Development Permit: to construct a 36-unit townhome development and associated infrastructure in the coastal zone; and
- Conditional Use Permit: to permit the residential development and construction of the residential development on a site with greater than a three-foot grade differential;
- Development Agreement: to confirm the open space program commitments for the development and implement the terms of the settlement agreement entered into to resolve prior CEQA litigation regarding a previously proposed development project on the 5-acre Windward site.

## **Background**

In 2008, Signal Landmark proposed a project, known as The Ridge, that involved a request to amend the land use and zoning designations on an existing approximately 5-acre parcel for the subdivision and development of a 22-unit single-family planned unit development (PUD). The project proposed to amend the existing zoning from Residential Agriculture – Coastal Zone (RA–CZ) to Residential Low Density – Coastal Zone (RL–CZ) and amend the General Plan land use designation from Open Space – Parks (OS–P) to Residential Low Density – 7 units/acre (RL–7). The project also consisted of a zoning text amendment that would amend the Planned Unit Development (PUD) supplemental standards and provisions of Chapter 210.12 of the HBZSO to allow greater flexibility in the provision of parking spaces for a PUD development.

In 2010, the City approved the project with all the proposed amendments to the General Plan and zoning designations. To comply with the California Environmental Quality Act (CEQA), the City adopted a Mitigated Negative Declaration (MND). Because the property is within the coastal zone, the California Coastal Commission (CCC) must approve any amendments to the City’s Local Coastal Program (LCP), therefore the City submitted the LCP amendment to the CCC for approval. In August 2010, the Bolsa Chica Land Trust filed litigation challenging the City’s approval of a MND claiming that the City should have prepared an Environmental Impact Report (EIR) rather than approving a MND. The litigation was stayed pending the outcome of the Coastal Commission’s decision. In June 2014, the City and Signal Landmark withdrew the LCP Amendment from consideration by the CCC.

In April 2016, Signal Landmark, the City, and the Bolsa Chica Land Trust signed a settlement agreement in an effort to resolve the pending CEQA litigation. The settlement agreement identified two alternative

approaches to the disposition of the Windward site and the adjacent Goodell property. The Acquisition Alternative provides an opportunity to preserve both the Windward property and the Goodell property as open space. Signal has independently entered into an option agreement with the Trust for Public Land (TPL) for the purchase of the Windward and Goodell properties. The TPL has an 18-month period in which to raise funds to purchase both properties. The option will expire in October 2017. The purchase price will be determined by an independent third party appraisal. The Development Alternative allows Signal Landmark to pursue entitlements for residential development on approximately half of the Windward site concurrently with TPL's pursuit of acquisition funds and commit to retaining the remaining 2.5 acres of the Windward site as open space and acquiring the 6.2-acre Goodell property and dedicating it for open space.

#### **SURROUNDING LAND USES AND SETTING:**

The project site is generally located at the southeast corner of Bolsa Chica Street and Los Patos Avenue. Historically, the site has been used periodically over the years for agricultural purposes, but has not been used for agriculture in approximately 11 years. The site is currently undeveloped, except for an area in the southwest portion of the property that was utilized as a storage and staging area for construction of the adjacent Brightwater Development from 2006 to 2011. The property is currently fenced and has not been used since 2011 when the construction trailers and all but one of the storage containers were removed.

North of the Windward site is the undeveloped 30-foot wide City-owned parcel, which is currently used as a trail by the public to access the Shea Homes property to the east. North of the 30-foot wide parcel are multi-family apartment and condominium complexes. East of the Windward site is the undeveloped Shea property, which is approved by the City for the development of a single-family residential subdivision with a park and open space/conservation areas. The portion of the Shea property directly abutting the Windward site is designated as Open Space – Conservation. The 6.2-acre undeveloped Goodell property is located immediately south of the Windward site. The Goodell property is currently located in the County of Orange. West of the Windward site are Bolsa Chica Street and the Brightwater and Sandover Developments. Both developments consist of single-family residential uses. The Brightwater development also consists of large open space/conservation areas. Surrounding zoning and General Plan land uses designations are depicted in Figures 2 and 3. Figure 4 represents the Windward site in relation to the surrounding properties, developments and resources that are referenced within this document.

#### **OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION:**

None.

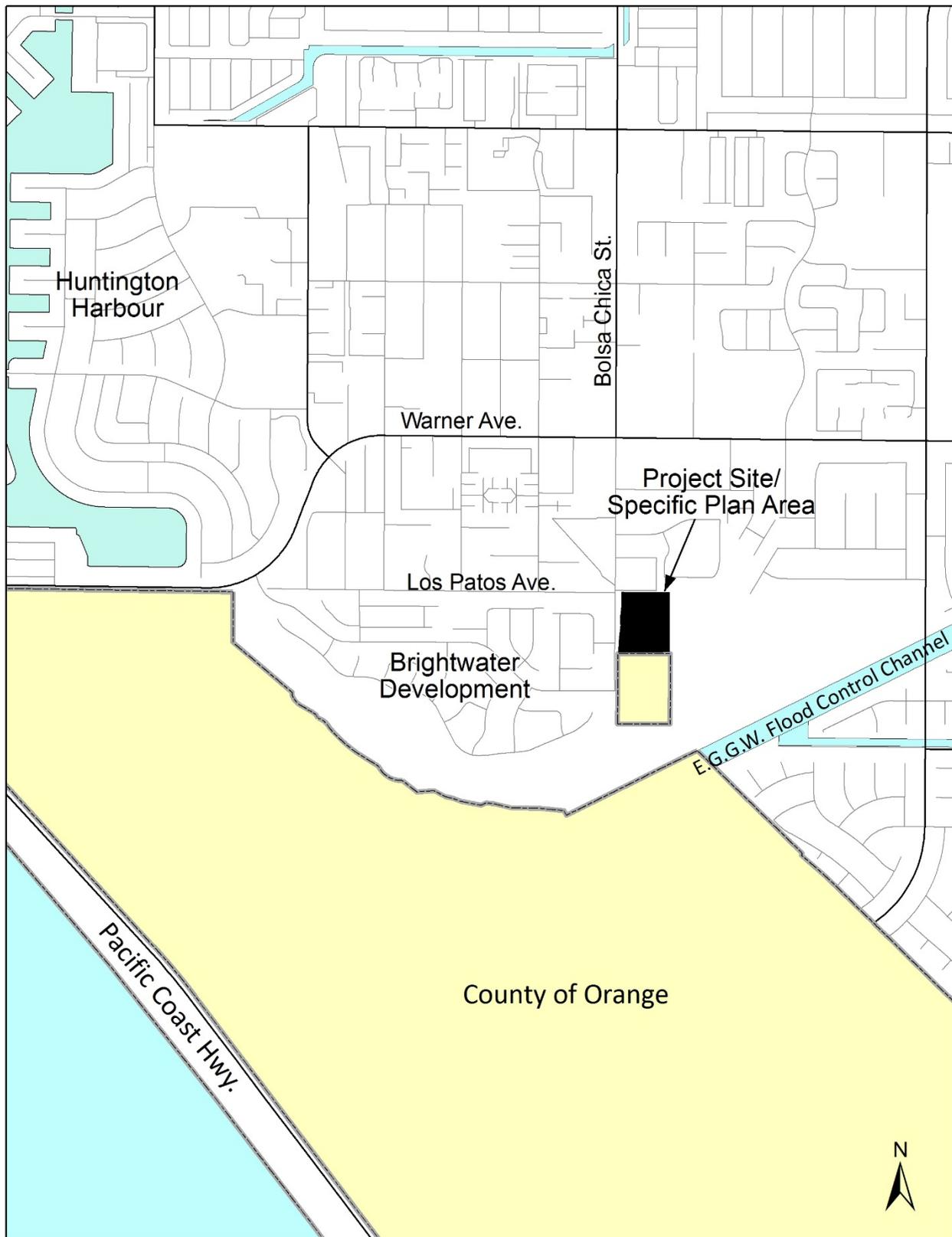
#### **OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):**

- California Coastal Commission: The Local Coastal Program Amendment is required to be approved by the California Coastal Commission prior to any development of the site

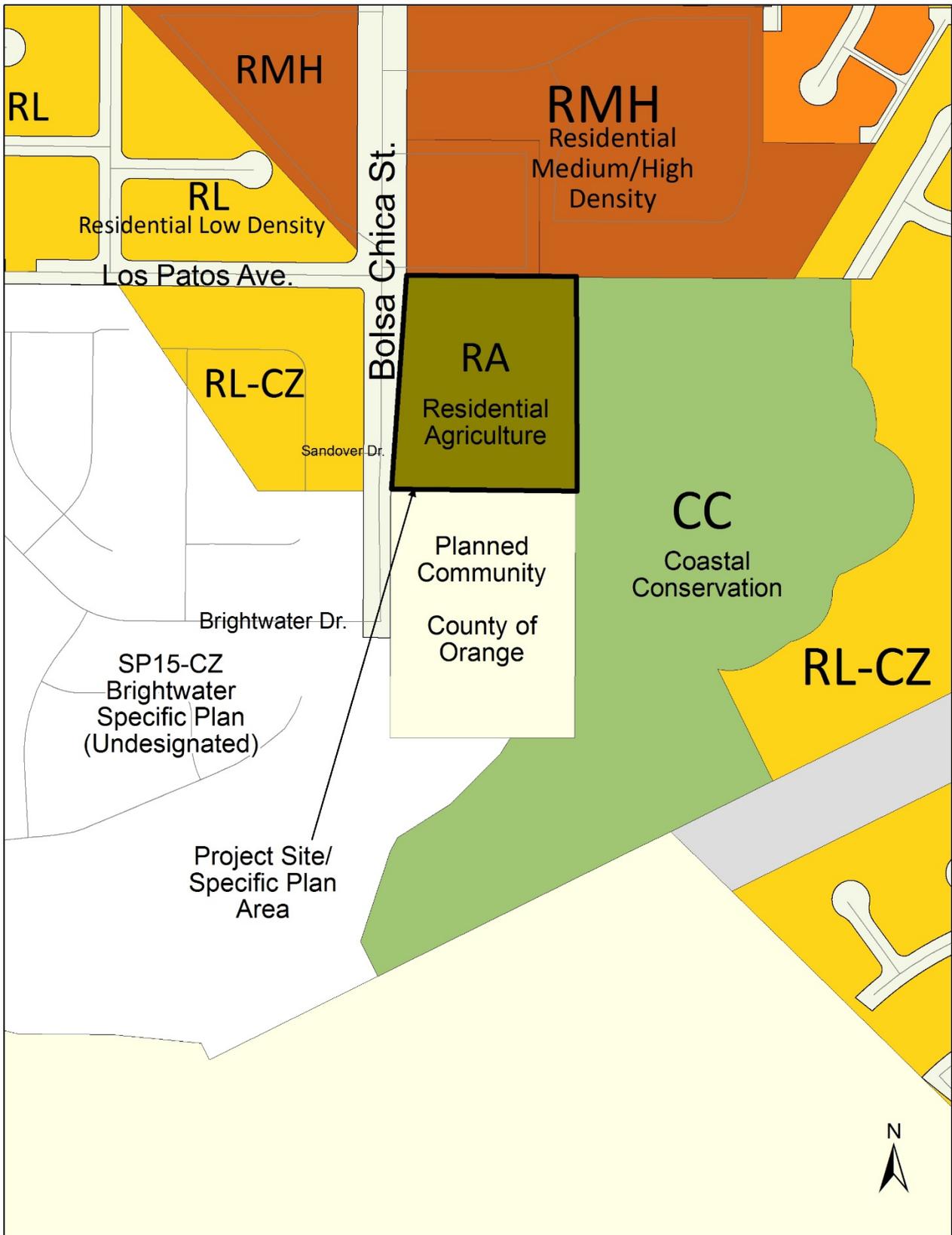
#### **HAVE CALIFORNIA NATIVE AMERICAN TRIBES TRADITIONALLY AND CULTURALLY AFFILIATED WITH THE PROJECT AREA REQUESTED CONSULTATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.3.1? IF SO, HAS CONSULTATION BEGUN?**

The California Native American Tribes traditionally and culturally affiliated with the project area were invited to consult with the City. No consultation have been requested.

**Figure 1 – Project Location**



**Figure 2 – Existing and Surrounding Zoning Designations**



**Figure 3 – Existing and Surrounding Land Use Designations**

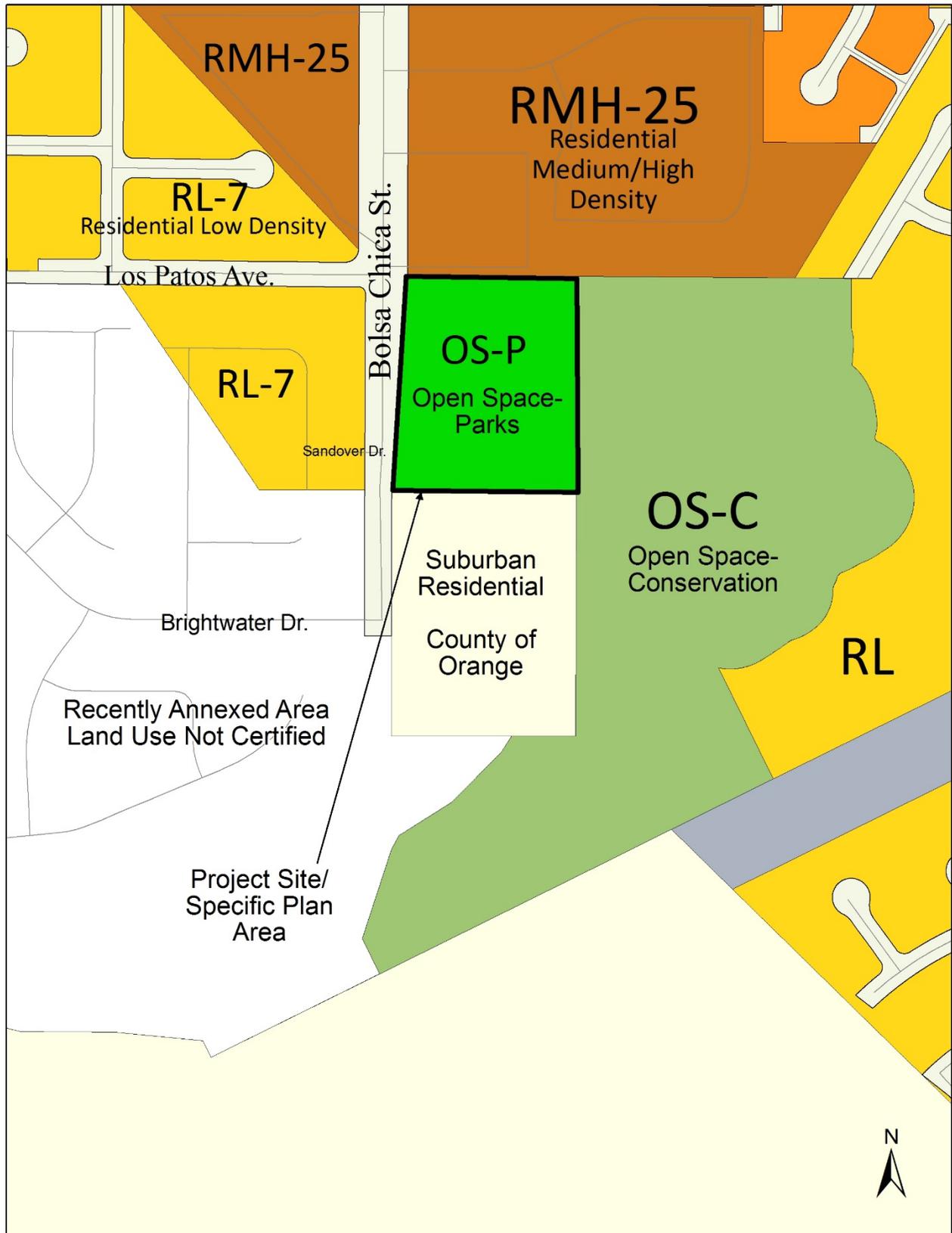


Figure 4 – Surrounding Developments and Resources (with contours)



**2.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

	Aesthetics		Hazards and Hazardous Materials		Recreation
	Agricultural Resources		Hydrology and Water Quality		Transportation and Traffic
	Air Quality		Land Use and Planning	✓	Tribal Cultural Resources
✓	Biological Resources		Mineral Resources		Utilities and Service Systems
✓	Cultural Resources		Noise		Mandatory Findings of Significance
	Geology and Soils		Population and Housing		
	Greenhouse Gas Emissions		Public Services		

**3.0 DETERMINATION** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. \_\_\_\_\_

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared. ✓ \_\_\_\_\_

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. \_\_\_\_\_

I find that the proposed project **MAY** have a "potentially significant impact" or a "potentially significant unless mitigated impact" on the environment, but at least one impact (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. \_\_\_\_\_

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, **nothing further is required.** \_\_\_\_\_

Tess Nguyen  
Signature

March 6, 2017  
Date

Tess Nguyen  
Printed Name

Associate Planner  
Title

#### **4.0 EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. "Potentially Significant Impact" is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. “Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section 6.0 at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section 6.0. Other sources used or individuals contacted have been cited in the respective discussions.
7. The following checklist has been formatted after Appendix G of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the City of Huntington Beach’s requirements.

(Note: Standard Conditions of Approval - The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures. For the readers’ information, a list of applicable standard conditions identified in the discussions has been provided as Attachment No. 4.

## 5.0 ENVIRONMENTAL ANALYSIS

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<b>5.1 AESTHETICS</b> <i>Would the project:</i>				
a) Have a substantial adverse effect on a scenic vista?			✓	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	
<b>5.2 AGRICULTURAL RESOURCES</b> <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</i>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓	
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			✓	
<b>5.3 AIR QUALITY</b> <i>The City has identified the significance criteria established by the applicable air quality management district as appropriate to make the following determinations. Would the project:</i>				
a) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
b) Expose sensitive receptors to substantial pollutant concentrations?			✓	
c) Create objectionable odors affecting a substantial number of people?			✓	
d) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
e) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<b>5.4 BIOLOGICAL RESOURCES</b> <i>Would the project:</i>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?			✓	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓
<b>5.5 CULTURAL RESOURCES</b> <i>Would the project:</i>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		✓		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✓		
c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature?		✓		
d) Disturb any human remains, including those interred outside of formal cemeteries?		✓		
<b>5.6 GEOLOGY AND SOILS</b> <i>Would the project:</i>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			✓	
ii) Strong seismic ground shaking?			✓	
iii) Seismic-related ground failure, including liquefaction?			✓	
iv) Landslides?			✓	

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill?			✓	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?			✓	
<b>5.7 GREENHOUSE GAS EMISSIONS</b> <i>Would the project:</i>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	
<b>5.8 HAZARDS AND HAZARDOUS MATERIALS</b> <i>Would the project:</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<b>5.9 HYDROLOGY AND WATER QUALITY</b> <i>Would the project:</i>				
a) Violate any water quality standards or waste discharge requirements?			✓	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?			✓	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount or surface runoff in a manner which would result in flooding on or off-site?			✓	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
f) Otherwise substantially degrade water quality?			✓	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j) Inundation by seiche, tsunami, or mudflow?				✓
k) Potentially impact stormwater runoff from construction activities?			✓	
l) Potentially impact stormwater runoff from post-construction activities?			✓	
m) Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?			✓	
n) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?			✓	
o) Create or contribute significant increases in the flow velocity or volume of stormwater runoff to cause environmental harm?			✓	
p) Create or contribute significant increases in erosion of the project site or surrounding areas?			✓	

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<b>5.10 LAND USE AND PLANNING</b> <i>Would the project:</i>				
a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
b) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓
c) Physically divide an established community?				✓
<b>5.11 MINERAL RESOURCES</b> <i>Would the project:</i>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓
<b>5.12 NOISE</b> <i>Would the project result in:</i>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓
<b>5.13 POPULATION AND HOUSING</b> <i>Would the project:</i>				
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extensions of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<b>5.14 PUBLIC SERVICES</b> <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a) Fire protection?			✓	
b) Police Protection?			✓	
c) Schools?			✓	
d) Parks?			✓	
e) Other public facilities or governmental services			✓	
<b>5.15 RECREATION</b> <i>Would the project:</i>				
a) Would the project increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	
c) Affect existing recreational opportunities?			✓	
<b>5.16 TRANSPORTATION AND TRAFFIC</b> <i>Would the project</i>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			✓	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?			✓	
e) Result in inadequate emergency access?			✓	

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
f) Result in inadequate parking capacity?			✓	
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				✓
<b>5.17 TRIBAL CULTURAL RESOURCES</b>				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		✓		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		✓		
<b>5.18 UTILITIES AND SERVICE SYSTEMS</b> <i>Would the project:</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			✓	
h) Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands?)			✓	

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
<b>5.19 MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			✓	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

## 5.1 AESTHETICS

*Would the project:*

- a) *Have a substantial adverse effect on a scenic vista? (Sources: 1, 22)*

**Less Than Significant Impact.** See discussion under item d.

- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: 1, 22)*

**No Impact.** See discussion under item d.

- c) *Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources: 1, 21, 22)*

**Less Than Significant Impact.** See discussion under item d.

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 21, 22)*

**Less Than Significant Impact.** The project consists of amendments to the existing General Plan and zoning land use designations on the subject property to allow for a proposed 36-unit townhome subdivision development and associated improvements on the western half of an existing 5-acre lot. The project site is located on the Bolsa Chica Mesa and is currently undeveloped, although a portion of the site was used as a construction staging site for the adjacent Brightwater development. The project site is not located along a state scenic highway. There are no historic buildings, rock outcroppings or trees on the project site. The Bolsa Chica Mesa and slope is identified as a visual resource in the Coastal Element and existing policies in the Coastal Element call for the preservation of public views to and from the slope. The project, through the proposed development agreement and specific plan, would result in the preservation of approximately 8.7 acres of open space. As such, no aesthetic impacts would occur in these preserved open space areas. Moreover, assurance that these areas would be preserved as open space in perpetuity may be considered as a beneficial aesthetic impact of the project.

Construction of the residential project would permanently alter the existing visual environment of the project site. The undeveloped character of the site would be developed under the proposed project. Views of the project site from the flood control channel east of the project site and Pacific Coast Highway (PCH) further in the distance would be altered. However, views of the project site from the channel and PCH, which are at a lower elevation, can be considered in the context of the overall view of the Bolsa Chica Mesa and slope. Currently, views looking toward the project site consist of the slope, open space and residential uses. Development of the project site would maintain existing views of the slope, in accordance with Coastal Element policies, and would bring residential uses into a closer context, but the overall view from the channel and PCH would essentially remain the same. Therefore, the proposed project would not substantially affect scenic views of the project site from off-site vantage points.

Since the project site is currently undeveloped, the project would introduce a new source of light and glare in the area due to lighting from the residences, car lights and nighttime street lights. However, the project is proposing multi-family residential uses in an area that is developed with single- and multi-family uses and light sources from the project would be similar to existing light sources in the area. The proposed lighting plan for the project indicates that all lighting will be shielded to minimize light cast onto adjacent properties. In addition, the project site lighting will include “dark sky” features that were implemented in the adjacent Brightwater residential project and have already been determined to be appropriate for and sensitive to the Bolsa Chica area.

The project is proposing three story townhomes at approximately 35 feet in height. Existing residential uses north and west of the project site are two and three stories in height and private views from these residential uses would be impacted by the project. However, neither the General Plan Coastal Element nor the Coastal Act protect private views. Nevertheless, the project site is separated from adjacent multi-family residential properties to the north with a 30-foot wide parcel. The 30-foot wide area would be improved with a decomposed granite trail with native landscaping. Distances from the proposed residences to the multi-family residential units to the north would range from 80 to 160 feet. These distances combined with landscaping proposed for the 30-foot wide area would function to buffer aesthetic impacts to existing residential units from development on the project site. In addition, the project is required to comply with the City's design guidelines to ensure that the project's design, architecture and landscaping for the project is compatible with and would enhance the area.

In conjunction with other past, present and future projects, the proposed project would incrementally contribute to aesthetic changes in the area and the change from an undeveloped to a developed condition may be viewed by some people as a negative impact. However, aesthetic impacts are somewhat subjective and others may view the development of new homes and landscaping as an improvement from the undeveloped condition of the property. The proposed project presents a high quality architectural design with a large amount of landscaping that is compatible with the surrounding uses.

Based on the analysis above, aesthetic impacts from the proposed project would be less than significant.

## 5.2 AGRICULTURAL RESOURCES

*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:*

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Sources: 1,2)*

**No Impact.** See discussion under item c.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: 1,2)*

**Less Than Significant Impact.** See discussion under item c.

- c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Sources: 1,2)*

**Less Than Significant Impact.** Much of Huntington Beach was developed with agricultural fields for many years until approximately the late 1950s when the City started to experience tremendous growth. Today, there is little land zoned or used for agricultural purposes. Most of the remaining agriculturally zoned property is limited to the existing Southern California Edison Right-of-Ways, which are generally utilized for commercial nursery operations.

The project includes development of the western half (2.5 acres) of a 5-acre site with 36 townhomes and associated site improvements. The property is currently undeveloped. Historically, the property has been used intermittently over the years for agricultural purposes, but has ceased agricultural operations for the last eleven years. The site is not shown on any map of the California Resources Agency as important, unique or prime farmland. The project site is currently zoned Residential Agriculture (RA) and allows agricultural uses, single-family dwellings, nurseries and temporary uses such as storage yards. The proposed zoning

map amendment to SP (Specific Plan) would result in the conversion of land zoned for agricultural uses. However, as mentioned, the site is not currently used for agricultural purposes. According to the HBZSO, the intent of the RA zoning district is to provide a “transition or holding zone” for properties with “current” agricultural uses. Since the property is no longer used for agriculture, the RA zoning designation is no longer the appropriate zoning designation and impacts from the change in zoning designation from RA to SP would be considered less than significant.

### 5.3 AIR QUALITY

*The City has identified the significance criteria established by the applicable air quality management district as appropriate to make the following determinations. Would the project:*

- a) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources: 1,7,13)*

**Less Than Significant Impact.** See discussion under item e.

- b) *Expose sensitive receptors to substantial pollutant concentrations? (Sources: 1,7,13)*

**Less Than Significant Impact.** See discussion under item e.

- c) *Create objectionable odors affecting a substantial number of people? (Sources: 1,7,13)*

**Less Than Significant Impact.** See discussion under item e.

- d) *Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 1,7,13)*

**Less Than Significant Impact.** See discussion under item e.

- e) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Sources: 1,7,13)*

**Less Than Significant Impact.** The City of Huntington Beach is located within the South Coast Air Basin, which is regulated by the South Coast Air Quality Management District (SCAQMD). The entire Basin is designated as a national-level nonattainment area for Ozone and fine particulate matter (PM<sub>2.5</sub>). The Basin is also a State-level nonattainment area for Ozone, PM<sub>10</sub> and PM<sub>2.5</sub>. Population groups such as children, the elderly, and acutely and chronically ill persons, especially those with cardio-respiratory diseases, are considered more sensitive to air pollution than others. Sensitive receptors in the area include residents in nearby developments to the north and west. The nearest sensitive receptors would be residents of the multi-family residential area north of the project site approximately 40 feet from the project site boundary.

Impacts from objectionable odors could potentially occur during construction of the project from equipment exhaust and construction activities. However, construction odors would be intermittent and short-term and would not persist once construction was completed. Residential uses in general are not sources of objectionable odors. Potential odors would be limited to typical household wastes, which are stored in refuse containers and picked up on a weekly basis. As such, impacts from odors would be less than significant.

The 2012 Air Quality Management Plan (AQMP) is the region’s applicable air quality plan and was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under jurisdiction of the SCAQMD, to return clean air to the region, and minimize the impact on the economy. Projects with pollutant emissions that do not exceed the SCAQMD daily threshold or that are considered to be consistent

with the General Plan are considered to be consistent with the AQMP. Although the proposed project is proposing a General Plan amendment to change the land use designation, the growth in population size and number of housing units as a result of the project is consistent with the growth accounted for in the General Plan (refer to discussion under Section 5.13 Population and Housing). Therefore, the proposed project would not conflict with the AQMP and impacts would be less than significant.

The construction of the project may result in short-term air pollutant emissions from the following activities: the commute of workers to and from the project site; grading activities, delivery and hauling of construction materials and supplies to and from the project site; fuel combustion by on-site construction equipment; and dust generating activities from soil disturbance. Table 1 and 2 below provide the proposed project's construction and operational emissions and compare them to the regional and localized significance thresholds of the SCAQMD. Emissions were derived using CalEEMod (Version 2013.2.2) modeling software.

**Table 1: Short-Term Construction Emissions**

Construction Phase	Total Regional Pollutant Emissions, lbs/day						
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2e</sub>
Site Preparation	2.6	29	18	0.02	2.2	1.4	3.5
Grading	2.7	28	19	0.02	4.7	2.9	6.1
Building Construction	3.4	23	18	0.03	1.8	1.5	270
Paving	1.7	17	13	0.02	1.1	0.98	8.8
Architectural Coating	29	2.2	2.1	0.00	0.23	0.18	1.55
<b>Peak Daily Emissions</b>	<b>29</b>	<b>29</b>	<b>19</b>	<b>0.03</b>	<b>4.7</b>	<b>2.9</b>	<b>290</b>
<b>SCAQMD Thresholds</b>	<b>75</b>	<b>100</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>	<b>No Threshold</b>
<b>Significant Emissions?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	
<b>LST Threshold</b>	<b>N/A</b>	<b>197</b>	<b>1,711</b>	<b>N/A</b>	<b>14</b>	<b>9</b>	
<b>Significant?</b>	<b>N/A</b>	<b>No</b>	<b>No</b>	<b>N/A</b>	<b>No</b>	<b>No</b>	

Source: LSA Associates, Inc., August 2016

**Table 2: Long-Term Operational Emissions**

Category	Pollutant Emissions, lbs/day					
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	0.95	0.04	3.0	<0.01	0.06	0.06
Energy	0.02	0.19	0.08	<0.001	0.02	0.02
Mobile	0.76	0.70	8.2	0.02	1.9	0.50
<b>Total Project Emissions</b>	<b>1.7</b>	<b>0.92</b>	<b>11</b>	<b>0.02</b>	<b>1.9</b>	<b>0.58</b>
<b>SCAQMD Thresholds</b>	<b>55</b>	<b>55</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Significant?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>LST Threshold</b>	<b>N/A</b>	<b>197</b>	<b>1,711</b>	<b>N/A</b>	<b>4</b>	<b>2</b>
<b>Significant?</b>	<b>N/A</b>	<b>No</b>	<b>No</b>	<b>N/A</b>	<b>No</b>	<b>No</b>

Source: LSA Associates, Inc., August 2016

CO = carbon monoxide  
 CO<sub>2e</sub> = carbon dioxide equivalent  
 lbs/day = pounds per day  
 NO<sub>x</sub> = nitrogen oxides  
 PM<sub>2.5</sub> = particulate matter less than 2.5 microns in size

PM<sub>10</sub> = particulate matter less than 10 microns in size  
 ROG = reactive organic compounds  
 SCAQMD = South Coast Air Quality Management District  
 SO<sub>x</sub> = sulfur oxides

As shown in the emissions tables, the project would not result in an exceedence of any regionally significant thresholds or localized significance thresholds (LST). LSTs are developed based on the ambient

concentrations of a pollutant for each source receptor area and the distance to the nearest sensitive receptor to determine a project's localized air quality impacts.

Based on siting recommendations within the California Air Resources Board's (CARB) Air Quality and Land Use Handbook (CARB 2005), a detailed health risk assessment should be conducted for proposed sensitive receptors within 1,000 feet of a warehouse distribution center, within 300 feet of a large gas station, within 50 feet of a typical gas dispensing facility, or within 300 feet of a dry cleaning facility that uses perchchloroethylene (PCE), among other siting recommendations. In addition, the CARB recommends that a health risk assessment be prepared for any sensitive receptors proposed within 500 feet of a highway. The project site is located in a residential neighborhood and is not within the screening distances of any listed resource of TACs. Furthermore, once constructed, the proposed project itself would not emit TACs. Therefore, impacts to sensitive receptors from TACs would be less than significant.

The project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. In addition, since the project would not result in an exceedence of established thresholds, the project would not result in exposure of sensitive receptors to substantial pollutant concentrations. As the project is consistent with the AQMP and does not result in an exceedence of thresholds for non-attainment pollutants and ozone precursors NO<sub>x</sub> and VOC, it would not result in cumulatively considerable impacts to air quality and less than significant impacts would occur.

## 5.4 BIOLOGICAL RESOURCES

*Would the project:*

- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Sources: 1,8,9,22)*

**Potentially Significant Impact Unless Mitigated.** See discussion under item f.

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (Sources: 1,22)*

**Less Than Significant Impact.** See discussion under item f.

- c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: 1,8,9,22)*

**Less Than Significant Impact.** See discussion under item f.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? (Sources: 1,22)*

**Less Than Significant Impact.** See discussion under item f.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: 1,22)*

**No Impact.** See discussion under item f.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Sources: 1,8,9,22)*

**No Impact.** The approximately five acre Windward site is currently undeveloped. Historically, the site has been used periodically for agricultural purposes but has never been developed. A designated wetlands area is located approximately 200 feet east of the subject property at the closest point. The subject property is entirely outside of the required buffer area for the adjacent wetlands designation. To the east of the proposed project on the Shea property is a stand of eucalyptus trees that have been determined by the California Coastal Commission to be an environmentally sensitive habitat area (ESHA) because of their value to raptors for nesting and perching.

In March 2010, a biological resources assessment was prepared by LSA, Inc., for the 5-acre Windward site. In August 2016, an updated assessment of biological resources was prepared by LSA, Inc., for the 5-acre Windward site and the 6.2-acre Goodell property. According to the report, the project site consists of two types of habitat: fallow agricultural land and barren land (gravel). The following discussion on the project's potential impacts to biological resources is based on the Biological Resources Assessments.

#### Existing Plant Species

In 2010, the gravel area of the project site was found to be barren with nearly no vegetation other than a few tumble mustard and dwarf nettle individuals. The most common species observed in the agricultural area of the project site included amaranthus, lamb's quarters, nettle-leaved goosefoot, Italian thistle, common horseweed and shortpod mustard. In 2016, the types and quality of plant communities present are much as they were mapped and described in 2010. Some areas previously mapped as disturbed or barren are now dominated by nonnative ruderal vegetation, and to a lesser extent some areas previously mapped as ruderal vegetation are now disturbed or barren. A few California sagebrush plants are present along the south-central edge of the Goodell property. These small clusters of California sagebrush are in a very disturbed area and do not appear to have been mapped previously. The small patch of mulefat scrub and the saltbush scrub plant communities in the north-central area of the Goodell property appear to have changed little in terms of size and distribution over the past decade.

#### Existing Wildlife Species

Several wildlife species commonly associated with ruderal habitat types have been observed within the project site. In 2009, one reptile, 40 bird and four mammal species were observed or detected within the project site. Birds regularly using the site include mourning dove, Anna's hummingbird, black phoebe, California towhee, western meadowlark and house finch. Migrant species include Cassin's kingbird, yellow-rumped warbler, Savannah sparrow and white-crowned sparrow. Common mammals include the California ground squirrel, Botta's pocket gopher, Audubon's cottontail and coyote. The western fence lizard has also been observed on the project site.

Although regular use of the surrounding area by raptors is well documented, little activity within the project site itself has been documented. The only diurnal raptors that have nested regularly in this area in the last 10 years have been Cooper's hawks. In most years (including 2016), they nest in the eucalyptus grove east of the project site, but they have nested in the trees south of the Goodell property and apparently in the residential area north of the project site as well. Common ravens also usually nest in the grove east of the project site. One year, a pair of white-tailed kites began constructing a nest high in the same grove, but they did not follow through with the nesting attempt. It has been observed that very little use of either parcel by foraging raptors has been observed over the years.

#### Special Status Species

##### Plants

There is only one special-status plant species, Southern tarplant, with a moderate to high probability of occurring on the project site. Because Southern tarplant is tolerant of and favors disturbed growing conditions, small numbers could occur on the project site. However, no special-status plant species were observed at the project site in 2016 and none has been previously reported on that property. Scattered

Southern tarplant populations have been found on the Bolsa Chica Mesa. In 2016, several groupings of southern tarplant were located on the Goodell property immediately south of the project site along with locations and quantities identified in previous years. This particular special-status plant species is often associated with highly disturbed conditions and occurs extensively in the vicinity of the study area. Therefore, a pre-construction survey is necessary to ensure that potential impacts to Southern tarplant will be less than significant. The following mitigation measure is recommended:

**BIO-1:** *Prior to construction-related ground disturbing activity, a qualified biologist shall survey the project site for presence of Southern tarplant during the appropriate blooming period, May – November. If feasible, the survey shall be conducted during the peak blooming period for the year. Any substantial occurrence (at least 500 mature individuals) shall be preserved on-site or relocated to open space areas in the Bolsa Chica area. If relocation is required, a Southern tarplant relocation program shall be prepared by a qualified biologist and implemented prior to the onset of construction.*

### Animals

One butterfly and two avian special status species have been found on the project site. However, several additional species are known to occur in the vicinity of the project site and, as such, may occur on the project site. These species include the monarch butterfly, which is primarily found among the off-site eucalyptus trees, and the white-tailed kite, Cooper's hawk, Allen's hummingbird, coastal California gnatcatcher and Belding's Savannah sparrow, all of which have nested in the vicinity of the project site. Most of the special-status species have a low probability of occurring on the project site. However, some have moderate to high potential for occurring or were observed within or adjacent to the project area. Since at least 2014 coastal California gnatcatchers have nested annually in coastal sage scrub and saltbush scrub contiguous with the Goodell property and the birds are occasionally seen on the Goodell property. Habitat within the project site is relatively small and marginal in quality for most of these species. In addition, nearly all of the special status species that may occur within the project area primarily utilize urban development for nesting and foraging or the off-site eucalyptus ESHA or pickleweed salt marsh. Both of these habitats will be preserved as part of another project in the vicinity. Given that the project site does not contain any environmentally sensitive habitat area, wetlands or habitat of significant value, impacts to special status species would be considered less than significant.

In addition to the field surveys that LSA conducted to identify plant and animal species, focused burrowing owl surveys were conducted in accordance with the California Burrowing Owl Consortium (CBOC) protocol. LSA did not observe any burrowing owls or potential owl burrows within or adjacent to the project site during the surveys. However, small mammal burrows on the project site as well as rodent burrows outside the project area were present that burrowing owls can modify for their own use. Regular surveys of the surrounding Bolsa Chica Mesa area over the last decade have observed burrowing owls only during the wintering season from October to March. According to the Biological Resources report, there is a very low chance that the burrowing owl would occur on the site prior to development. However, pre-construction surveys would be necessary to verify absence of the species or their burrows as well as to implement protective measures in the event that burrowing owls are found to be present on the site. No permanent habitat preservation is necessary since there is no recent history of breeding burrowing owls on the project site and ample opportunity for the establishment of breeding area in surrounding unoccupied preserved habitat is available. The following mitigation measure is recommended:

### **BIO-2:**

*Prior to construction-related ground disturbing activity, focused burrowing owl surveys shall be conducted in accordance with the CBOC and California Department of Fish and Wildlife (CDFW) established protocols on the project site.*

- *If no occupied burrows are found, the methods and findings of the surveys shall be reported to the City and CDFW for review and approval and no further mitigation would be required.*
- *If unoccupied burrows are found during the nonbreeding season, the burrows shall be collapsed or otherwise obstructed to prevent owls from entering and nesting in the burrows.*

- *If occupied burrows are found, a buffer of 165 feet (during the nonbreeding season of September 1 through January 31) or 250 feet (during the breeding season of February 1 through August 31) shall be provided. The buffer area may be adjusted based on recommendations by a qualified biologist in consultation with the CDFW. No activity shall occur within the buffer area until a qualified biologist confirms that the burrow is no longer occupied.*
- *If the burrow is occupied by a nesting pair, a minimum of 6.5 acres of foraging habitat contiguous to the burrow shall be maintained until the breeding season is over. The 6.5 acres would consist of the five acres of the project site as well as the adjacent 6.2 acre Goodell property. The western portion of the Shea property is designated as permanent open space providing an additional 19 acres of foraging habitat.*
- *If avoidance of an occupied burrow is not feasible, on-site passive relocation techniques approved by the CDFW shall be used to encourage the owls to move to an alternative borrow outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through noninvasive methods that juveniles from the occupied burrows are foraging independently and are capable of independent survival.*

Implementation of the recommended mitigation measure will ensure that impacts to burrowing owls will be less than significant.

Impacts from development of the project site on surrounding habitat areas, including the adjacent eucalyptus ESHA east of the subject property, could occur from the intrusion of people and pets in the area as well as from noise, light, dispersal of nonnative plants and introduction of pests and feral species. It should be noted that these impacts already occur due to the proximity of other residential development to the habitat areas. The proposed project includes several design measures that would reduce or eliminate these impacts such as perimeter fencing to separate and deter humans and pets from disturbing the preserved habitat areas and dark sky lighting as well as restrictions on the type of exterior lighting that residents of the project can use in the future. Standard requirements of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) require a Domestic Animal Control Plan, a Pest Management Plan and other performance standards for developments adjacent to an ESHA to minimize impacts. In addition, raptor species that would nest in the adjacent eucalyptus ESHA are very tolerant of human activity. In fact, according to the Biological Resources report, previous Cooper's hawk nests were constructed within 50 feet of the residential condominium complex north of the eucalyptus ESHA. These hawks were also frequently observed foraging in existing residential areas. LSA has also noted that average distances at which perching raptors were flushed by approaching humans in the Bolsa Chica area range from 24 to 57 feet depending on the height of raptors in the trees. The property boundary for the proposed residential project is approximately 350 feet from the closest point of the ESHA. Furthermore, the Biological Resources report states that raptors are more likely to habituate to stationary human presence associated with residences than they are to hikers, dog walkers and bird watchers that currently frequent the area.

As part of the approval of a Land Use Plan for the Shea property in 2008, the Coastal Commission required that 23 acres surrounding the ESHA be designated as buffer/open space to maintain foraging habitat for raptors and to protect against any significant disruption of habitat values. Because the proposed residential development is on the western half of the project site, the land between the proposed residential development and the eucalyptus trees is approximately 25.5 acres. Given the 23 acres that have been designated as open space for raptor foraging habitat on the Shea property in addition to the 2.5 acres on the project site that provide an additional open space buffer between the proposed residential development and the eucalyptus ESHA and implementation of standard code requirements for development adjacent to an ESHA, the project's design, and the adaptable nature of raptors that use the area, impacts to adjacent resources, including the eucalyptus ESHA, are less than significant.

The proposed project does not conflict with any adopted Habitat Conservation Plan or Natural Community Conservation Plan as no such plan exists for the City of Huntington Beach. The City does not have any adopted ordinances protecting biological resources. The project would not impact either local policies or an adopted Habitat Conservation Plan or Natural Community Conservation Plan.

## 5.5 CULTURAL RESOURCES

*Would the project:*

- a) *Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (Sources: 5,6)*

**Potentially Significant Impact Unless Mitigated.** See discussion under item b.

- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: 5,6)*

**Potentially Significant Impact Unless Mitigated.** The proposed project involves the subdivision of an approximately 2.5-acre site for the construction of 36 townhomes and associated improvements including a 3,800 square foot recreation area on currently undeveloped land. The project site was historically used for agricultural purposes and a portion of the site was used for temporary construction headquarters for the adjacent Brightwater development. The project site is located on what is commonly referred to as the Bolsa Chica Mesa where several significant cultural sites are known to exist. A number of surface and subsurface archaeological investigations have occurred in the area over the last fifty years.

Archaeological reports for the Windward site (formerly known as the Ridge) were prepared by Scientific Resource Surveys (SRS), Inc. in May 2009 and April 2013 and discuss previous investigations of the archeological site, CA-ORA-86 “*Herring’s Site E*”. According to the reports, the project site contained remnants of CA-ORA-86, which has been the subject of 33 separate archeological investigations, including nine surveys, five site form recordations, five surface collections, five excavation programs, one grading monitoring program, two site inspections, one research design and nine evaluations of the site for significance. CA-ORA-86 has been modified in size and shape through time and is frequently combined with CA-ORA-144 “*The Water Tower Site*” and CA-ORA-83 “*The Cogged Stone Site*”, although it is recorded as a distinct site. The site was first formally mapped in 1961 along the slope edge east of Bolsa Chica Street on the subject site and extending northeast where residential development is now located. CA-ORA-86 was first formally recorded in 1964 and showed essentially the same boundaries as the 1961 map. Since the site was first recorded, it has been disturbed through agricultural activities, a soils enhancement program in which peat deposits were mixed into the sediments, and residential construction in the northern portion of the site (north of Los Patos). In the 1960s and 1970s, several investigations were conducted west of Bolsa Chica Road to verify that the site boundaries were confined to the slope edge east of Bolsa Chica Street. However, investigations in the 1980s and early 1990s re-recorded the site and extended the boundaries west of Bolsa Chica Street and east of the slope edge down into the lowlands. Subsequent archeological investigations in 1999 showed that materials on the property west of Bolsa Chica Street (now the Sandover residential development) were mechanically moved to this location and therefore did not constitute a cultural resource.

In 2001, CA-ORA-86 was investigated and the entire project site was subjected to a multistaged program that included a surface survey, surface artifact collection, a systematic auger program, backhoe trenching and hand excavations. One small deposit was found in the southeast corner of the property on the slope edge. Geophysical investigations revealed an oval depression at the deposit site that was identified as the subterranean remains of a single structure (house pit). The subsurface remains of the structure were completely removed by hand excavation, which recovered the entire cultural deposit. No other intact deposits of CA-ORA-86 were found on the project site. Carbon dating of the artifacts found near the house pit indicate that ORA 86 is much younger (2250-2080 BP) than the neighboring ORA 83 (10,100-8320 BP).

In 2013, the California Coastal Commission notified the property owner Signal Landmark that the 2001 archaeological investigation conducted by SRS on the project site constituted unpermitted development in

violation of the California Coastal Act. Signal Landmark, along with the neighboring property owner the Goodell Family Trust, agreed not to contest the violations and in September 2013 the Coastal Commission issued Consent Orders mandating that the property owners: 1) perform no further unpermitted development; 2) restore the excavated areas; 3) in consultation with the affected Native American tribal groups, specify final treatment of cultural materials removed from the property and; 4) undertake a mitigation program on the properties to promote conservation of Native American cultural resources in coastal Orange County. The first three requirements listed above have been satisfied and the fourth is pending the outcome of the TPL acquisition effort or the implementation of the Windward Specific Plan if the acquisition is unsuccessful.

The 2001 subsurface investigation conducted by SRS (as described in the 2009 and 2013 reports) indicates that the western half of the five acre parcel where development is proposed (i.e., the 2.5 acre Windward project site), is the most disturbed portion of the property, and is less likely to contain cultural resources than the eastern half, where the house pit was located. However, given the significance of ORA 86 and the surrounding cultural sites, in and abundance of caution, the following mitigation measures shall be implemented to protect any potentially significant intact cultural deposits that may exist on the proposed development site.

**CR-1.** *Prior to any development, the Applicant shall retain a City-approved Archaeologist who meets the Secretary of Interior Standards for both Archaeology and History. An Archaeological Mitigation and Monitoring Plan (AMMP) shall be developed prior to initiating construction to outline “controlled archaeological grading methods,” which has been shown to be an effective investigative method for locating previously unknown resources on Bolsa Chica Mesa. The plan shall include protocol for the mitigation of cultural resources through a research design and recovery/preservation plan, including significance testing of inadvertent archaeological finds; lab analysis, curatorial requirements, and reporting requirements; and identification of an acceptable repository for all recovered material with curatorial fees being paid by the Applicant.*

**CR-2.** *In accordance with CR-1 and the AMMP, controlled archaeological grading shall occur across the entire Windward project site prior to the issuance of a grading permit for residential development of the project site. Archaeological grading shall consist of using mechanized equipment where the plowzone is removed in approximate 2 centimeter depth increments by a mechanical scraper, as part of the controlled grading effort and under the supervision of the archaeological site supervisor. The grading process shall be limited to slow excavation in small horizontal areas providing ultimate control. The archaeologist(s) and Native American Monitor(s) shall examine the soils as they are exposed. Previous investigation have shown that once below the plowzone, soils consist of: 1) basal midden remnants (beige-yellow in color) or 2) Pleistocene terrace deposits (red in color). Culturally-sterile Pleistocene terrace deposits are shallow at this location, reached at a maximum depth of 150cm below the surface. The entire process shall be monitored by both Gabrielino and Juaneno Native American monitors. Monitoring will occur with at least one archaeologist and one Native American monitor per equipment array that is operating.*

**CR-3:** *All construction personnel shall be instructed to stop work on the project site in the event of a potential find, until the archaeologist and Native American Monitors have been able to assess the significance of the find and implement appropriate measures as outlined in the AMMP to protect or scientifically remove the find. Construction personnel shall also be instructed that unauthorized collection of cultural resources is prohibited by law. If archaeological resources are discovered during ground-disturbing activities, the archaeologist has the authority to cease all earthwork in the immediate area of the finds (within 50 feet) until the find can be evaluated for significance.*

*In the absence of a determination, all archaeological resources shall be considered significant. If the resource is determined to be significant, the archaeologist shall prepare a research design and recovery/preservation plan for the resources as outlined within the AMMP.*

**CR-4:** *In the event cultural resources are exposed in any overlying basal midden remnants during the controlled archaeological grading, the archaeologist shall prepare a research design and recovery/preservation plan for the resources as outlined within the AMMP. Specific protocol for uncovering the resource and analyzing its significance will be detailed within this plan. The protocol shall establish procedures for various types of archaeological resources that may be discovered. Because of their cultural significance, however, if any of the following cultural resources are discovered in situ, i.e., they have not been moved or relocated to the site of discovery, they shall be preserved in place: human remains, house pits, hearths, artifact caches, and intact midden deposits. Prehistoric ceremonial or religious artifacts such as coggled stones, pipes, crystals, pigments, incised stone, beads and bone or shell ornaments shall be preserved in place if associated with human remains. Upon discovery of any of the above resources, all construction will stop and the archaeologists shall consult with Native American monitors to determine preservation methods.*

**CR-5:** *If human remains are discovered during construction or any earth-moving activities, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner must notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site and may recommend or deny scientific removal and nondestructive analysis of human remains. If the human remains are determined to be in situ, i.e., they have not been moved or relocated to the site of discovery, the preservation methods in CR-4 shall apply.*

Coastal Commission-approved archaeologists at this site included independent professionals who had reviewed data from all previous investigations prior to any SRS work at the site and consulted with archaeologists from the 1970s-1990s. This peer review group oversaw SRS subsurface research and confirmed the earlier conclusions that required mitigation would be limited to monitoring during grading and ground disturbing activities; and that mitigation measures requiring preservation or additional data recovery were not necessary. Further in, an abundance of caution, in 2015 all SRS work was reviewed by an independent outside peer reviewer unfamiliar with all interested parties who provided a neutral opinion reinforcing the previously determined conclusions of the original peer review group. Therefore, with implementation of mitigation measures CR-1, CR-2, CR-3, CR-4, and CR-5, potential impacts to cultural resources would be less than significant.

- c) *Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources: 5,6)*

**Potentially Significant Impact Unless Mitigated.** To date, no paleontological resources have been recorded on the project site. Although important resources such as main terraces and Quaternary deposits have been identified in nearby areas, the proposed site grading operations will not extend below five feet and therefore will not have the potential to disturb paleontological resources. In the event that grading or excavation for utilities or other project components requires work below five feet, there is a potential for encountering paleontological resources. Compliance with the mitigation measure below ensures that prior to grading activities, a qualified paleontologist has been retained to conduct a literature review and field survey, a pre-grade salvage operation, and to monitor grading operations, and ensures that the impact remains less than significant.

**CR-6:** *Prior to the issuance of any grading permit, the project applicant shall provide written evidence to the City that a City-approved paleontologist has been retained to observe grading activities and salvage and catalogue fossils as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the applicant, which ensure proper exploration and/or salvage.*

- d) *Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 5,6)*

**Potentially Significant Impact Unless Mitigated.** See discussion under item b.

## 5.6 GEOLOGY AND SOILS

*Would the project:*

- a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
- i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Sources: 1,4,11,17)*

**Less Than Significant Impact.** See discussion under item iv.

- ii) *Strong seismic ground shaking? (Sources: 1,4,11,17)*

**Less Than Significant Impact.** See discussion under item iv.

- iii) *Seismic-related ground failure, including liquefaction? (Sources: 1,4,11,17)*

**Less Than Significant Impact.** See discussion under item iv.

- iv) *Landslides? (Sources: 1,4,11,17)*

**Less Than Significant Impact.** The subject site is currently undeveloped except for a portion of the site that was used for construction headquarters for the adjacent and under construction Brightwater development. The site is not located within an Earthquake Fault Zone and no known or potentially active faults cross the site. The nearest known active fault is the Newport-Inglewood fault located approximately 2,000 feet southwest of the project site. The site is not located within a Seismic Hazard Zone for earthquake induced slope instability or liquefaction. However, the site is adjacent to a Seismic Hazard Zone for earthquake-induced liquefaction. In the event of a large earthquake at the nearby Newport-Inglewood fault, the site would experience significant ground shaking.

A geotechnical feasibility study (LGC, 2008) for the project states that the project site consists of loose to dense, brown to orange-brown sands, gravels and cobbles and soft to medium-stiff, brown and grey-brown silts and sandy clays. It is anticipated that these materials are overlain by varying thickness of topsoil and colluvial materials. Historic high groundwater levels in the vicinity of the subject site have been reported at 20 feet below the ground surface. Potential for liquefaction is anticipated to be low due to the lack of shallow groundwater conditions and the anticipated dense nature of the site soils. However, due to the proximity of the project site to a Seismic Hazard Zone for potential liquefaction, the geotechnical report recommends further subsurface testing on the project site prior to preparation of construction and grading plans. The geotechnical report also indicates that it is anticipated that the site soils have very-low to medium expansion potential and negligible potential for concrete and metal corrosion. Based on the low expansion potential, conventional shallow foundations with proper reinforcement or post-tension ribbed or mat foundations could be used to support the proposed residential structures at the site.

The proposed development would be required to comply with the California Building Code (CBC), which includes regulations for projects to be designed to withstand seismic forces. In addition, pursuant to the preliminary geotechnical report, the project is required to conduct subsurface exploration and

laboratory soil testing, to further evaluate the nature and engineering characteristics of the underlying soils. The final project design will address liquefaction potential and any moderate shrinkage or subsidence that may result from soil removal and recompaction to ensure that the finished building pads are not unstable. Adherence to the seismic design and construction parameters of the CBC and the City's Municipal Code, would ensure protection of future residents of the project from impacts associated with seismic activity. Additionally, the project would be required to implement the recommendations of the geotechnical report into the final design and construction of the proposed project. Less than significant impacts would occur.

- b) *Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1,4,11,17)*

**Less Than Significant Impact.** See discussion under item e.

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Sources: 1,4,11,17)*

**Less Than Significant Impact.** See discussion under item e.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Sources: 1,4,11,17)*

**Less Than Significant Impact.** See discussion under item e.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater? (Sources: 1,4,11,17)*

**Less Than Significant Impact.** The project site is located on the Bolsa Chica Mesa. Although the project site is generally flat, portions of the site slope gradually from west to east at elevations ranging from approximately 52 feet above mean sea level (msl) to approximately 47 feet msl. Finished pads on the west side of the residential project site, adjacent to Bolsa Chica Street, would remain relatively the same as the existing elevation. The eastern portion of the residential project site adjacent to the open space area would be raised two to four feet over existing elevations requiring approximately 2,900 cubic yards of cut and 2,100 cubic yards of fill, although it is anticipated that all soil will be able to be reused on site. According to the Geotechnical Feasibility Study (LGC, 2008), over-excavation and recompaction of near surface soils is anticipated to occur during site preparation and grading. Based on other projects in the vicinity, it is anticipated that the depth of over-excavation would not exceed five to 10 feet. According to the geotechnical feasibility study, the on-site soils are considered generally suitable for use as compacted fill and support the planned improvements, including the proposed drainage system.

The project proposes to develop on a currently undeveloped site and would increase the potential for on-site and off-site erosion. Although the project does have the potential to contribute additional runoff, the project's proposed storm drain system would be designed such that it would limit the amount of post-construction runoff so that the downstream storm drain system is not impacted.

Earth-disturbing activities associated with construction would be temporary. The State Water Resources Control Board and the City's *Municipal Code* require erosion and sediment controls for construction projects with land disturbance. The requirements include preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP); preparation and implementation of an erosion and sediment control plan, describing both construction-period and permanent erosion and sediment controls; and construction site inspection by the City. The project is subject to the provisions of the General Construction Activity Stormwater Permit adopted by the State Water Resources Control Board (SWRCB). The project applicant must submit a Notice of Intent (NOI) to the SWRCB for coverage under the Statewide General Construction

Activity Stormwater Permit and must comply with all applicable requirements, including the preparation of a SWPPP, applicable NPDES Regulations, and best management practices (BMPs). The SWPPP must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls.

The project is required to comply with Title 17 *Excavation and Grading Code*, in addition to implementing the recommendations of the geotechnical investigation to address potential impacts from expansive soils. In addition, the existing sewer system, constructed in 2006 for the Brightwater Development, would accommodate the proposed project and as such, the project would not require an alternative wastewater disposal system.

Compliance with all applicable codes and requirements, in addition to implementation of site-specific recommendations required in the preliminary geotechnical study, would ensure less than significant impacts would occur.

## 5.7 GREENHOUSE GAS EMISSIONS

*Would the project:*

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: 7,13)*

**Less Than Significant Impact.** See discussion under item b.

- b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: 7,13)*

**Less Than Significant Impact.** The CEQA Guidelines state that, where available, significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make determinations regarding air quality impacts. State CEQA Guidelines Section 15064.4 provides guidance to lead agencies for determining the significance of impacts from GHG emissions and states that a lead agency should make a good-faith effort, to the extent possible, based on scientific and factual data to describe, calculate, or estimate the amount of GHG emissions resulting from a project. When assessing the significance of impacts from GHG emissions, a lead agency should consider: (1) the extent to which the project may increase or reduce GHG emissions compared with existing conditions; (2) whether the project's GHG emissions exceed a threshold of significance that the lead agency determines applicable to the project; and (3) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

The SCAQMD has adopted a 10,000 metric tons (MT) significance threshold for industrial facilities where SCAQMD is the lead agency. However, this 10,000 MT significance threshold is not applicable to the proposed project because the project is not an industrial facility. Neither the City nor the SCAQMD have adopted quantitative thresholds for GHG emissions from development projects; however, the SCAQMD has proposed screening levels such that projects that fall below 3,000 MT CO<sub>2e</sub> annually are considered to comply with the GHG emission reduction strategy as mandated by AB 32 (SCAQMD 2003). The screening thresholds represent the level of GHG emissions under which a project would be considered to have a less-than-significant impact on the environment without the need for further mitigation. Other quantitative thresholds have been adopted or recommended by other public agencies, including other air districts, or recommended by experts throughout the state, such as the 900 MT CO<sub>2e</sub> (approx. > 54 dwelling units) threshold contained within California Air Pollution Control Officers Association's (CAPCOA's) CEQA and Climate Change Report. CAPCOA's 900 MT threshold level is the lowest existing quantitative

threshold within the state. The GHG emissions from the proposed project were quantified using CalEEMod and are shown in Table 3.

**Table 3: Cumulative Greenhouse Gas Emissions**

Category	Pollutant Emissions, MT/year					
	Bio- CO <sub>2</sub>	NBio- CO <sub>2</sub>	Total CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
Construction emissions amortized over 30 years	0	9.6	9.6	< 0.01	0	9.7
Operational emissions						
Area	0	9.3	9.3	< 0.01	< 0.01	9.3
Energy	0	90	90	< 0.01	< 0.001	90
Mobile	0	239	239	0.01	0	239
Waste	3.4	0	3.4	0.20	0	7.5
Water	0.74	13	14	0.08	< 0.01	16
<b>Total Project Emissions</b>	<b>4.1</b>	<b>361</b>	<b>365</b>	<b>0.29</b>	<b>0</b>	<b>372</b>

Source: LSA Associates, Inc., August 2016

Note: Numbers in table may not appear to add up correctly due to rounding of all numbers to two significant digits.

Bio-CO<sub>2</sub> = biologically generated CO<sub>2</sub>

MT/year = metric tons per year

CH<sub>4</sub> = methane

N<sub>2</sub>O = nitrous oxide

CO<sub>2</sub> = carbon dioxide

NBio-CO<sub>2</sub> = non-biologically generated CO<sub>2</sub>

CO<sub>2</sub>e = carbon dioxide equivalent

According to CAPCOA, GHG emission impacts are exclusively cumulative impacts from a climate change perspective. Therefore, this analysis evaluates the cumulative contribution of project-related GHG emissions.

Construction activities associated with the project would result in GHG emissions from fuel combustion within construction equipment and vehicles traveling to and from the project site. Consistent with SCAQMD draft guidelines, construction emissions are summed and amortized over a 30-year project life and then added to operational emissions. As shown in Table 3, total GHG emissions are expected to be below the 3,000 MT CO<sub>2</sub>e SCAQMD threshold as well as the more stringent CAPCOA threshold of 900 MT. Consequently, the impact of GHG emissions from the project would be less than significant.

As discussed above, project emissions would be below the CAPCOA threshold of 900 MT CO<sub>2</sub>e and below 3,000 MT CO<sub>2</sub>e SCAQMD threshold, which were developed to help achieve the GHG emissions reduction goals of AB 32. As such, the proposed project would be consistent with the AB 32 goal of reducing statewide GHG emissions to 1990 levels by 2020. Therefore, the project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases pursuant to AB 32. A less than significant impact would occur.

## 5.8 HAZARDS AND HAZARDOUS MATERIALS

*Would the project:*

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: 1,21,22)*

**Less Than Significant Impact.** See discussion under item b.

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources: 1,21,22)*

**Less Than Significant Impact.** The site was historically used for agricultural purposes and, as such, may contain traces of pesticides in the soil. The site is currently undeveloped, except for a portion of the site that was used for temporary construction headquarters for the adjacent Brightwater development. The proposed residential units do not represent uses that involve the routine use or transport of hazardous materials beyond typical household wastes and cleaning products.

To the extent possible, on-site soils will be used for grading, however, all fill soil shall meet City Specification #431-92 – Soil Cleanup Standards and would be submitted to the Fire Department for review and joint approval with the Public Works Department prior to issuance of a grading permit. Discovery of additional soil contamination during ground disturbing activities is required to be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92. Compliance with City Specification #431-92 ensures that less than significant impacts would occur.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school? (Sources: 1,21,22)*

**Less Than Significant Impact.** The nearest school, Marine View Middle School, is located approximately ½ mile from the project site. The proposed residential units do not represent uses that involve the routine use or transport of hazardous materials beyond typical household wastes and cleaning products. Less than significant impacts would occur.

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Sources: 1,18,21,22)*

**No Impact.** The project site is not listed on any list of hazardous sites. As such, no impacts would occur.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1,21,22)*

**No Impact.** See discussion under item f.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Sources: 1,21,22)*

**No Impact.** The City is located within the Airport Environs Land Use Plan for the Joint Forces Training Base Los Alamitos, but is not located within two miles of a public or private airport. However, given the nature and size of the proposed project, no impacts would occur.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: 1,21,22)*

**No Impact.** The site was historically used for agricultural purposes and is currently undeveloped, except for a portion of the site that was used for temporary construction headquarters for the adjacent Brightwater development. The project site does not serve any role in the implementation of an emergency response plan nor would the proposed project impair an emergency evacuation plan. No impacts would occur.

- h) *Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Sources: 1,21,22)*

**Less Than Significant Impact.** The site was historically used for agricultural purposes and is currently undeveloped, except for a portion of the site that was used for temporary construction headquarters for the adjacent Brightwater development. The site is also disked twice a year for fire protection. The project site and surrounding properties are not considered wildlands and are not located within a Very High Fire Hazard Severity Zone as mapped by the State Department of Forestry and Fire Protection. Less than significant impacts would occur.

## 5.9 HYDROLOGY AND WATER QUALITY

*Would the project:*

- a) *Violate any water quality standards or waste discharge requirements? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Sources:1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount or surface runoff in a manner which would result in flooding on or off-site? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Sources:1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- f) *Otherwise substantially degrade water quality? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Sources: 1,3,12,21)*

**No Impact.** See discussion under item j.

- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Sources: 1,3,12,21)*

**No Impact.** See discussion under item j.

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Sources: 1,3,12,21)*

**No Impact.** See discussion under item j.

- j) *Inundation by seiche, tsunami, or mudflow? (Sources: 1,3,12,21)*

**No Impact.** (Items g-j). The proposed project site is designated as Flood Zone X on the Flood Insurance Rate Map (FIRM), which is not subject to Federal Flood Development restrictions. The project site is not situated within the 100-year flood hazard area as mapped on the FIRM. The elevation of the site above mean sea level (ranging from 36' – 52') and insulation provided by the inner Bolsa Bay suggest that the probability of experiencing adverse effects from tsunamis and seiches is low at the site. Furthermore, the General Plan Environmental Hazards Element does not identify the subject site within a tsunami run-up area. No impacts would occur.

- k) *Potentially impact stormwater runoff from construction activities? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- l) *Potentially impact stormwater runoff from post-construction activities? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- m) *Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- n) *Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- o) *Create or contribute significant increases in the flow velocity or volume of stormwater runoff to cause environmental harm? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** See discussion under item p.

- p) *Create or contribute significant increases in erosion of the project site or surrounding areas? (Sources: 1,3,12,21)*

**Less Than Significant Impact.** The approximately 5-acre project site is currently undeveloped. A portion of the site was used for construction staging headquarters for the adjacent Brightwater development. The project site is located on the Bolsa Chica Mesa. Water bodies in the vicinity of the project site include the Bolsa Chica wetlands and the East Garden Grove – Wintersburg Channel. The project does not propose to alter the course of an existing stream or river. After construction, the project site would consist of approximately 54% landscaped area and 46% impervious surface (building and paved area). The existing site is relatively flat and sheet flows from the west to east. As the site is vacant, the proposed project does have the potential to increase runoff rate and volume during construction and post-construction, which could potentially impact water quality.

Water quality standards and waste discharge requirements will be addressed in the project design and development phase pursuant to a Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP), prepared by a Civil or Environmental Engineer in accordance with the National Pollution Discharge Elimination System (NPDES) regulations and approved by the City of Huntington Beach Department of Public Works.

#### Construction Runoff and Erosion

The State Water Resources Control Board and the City's *Municipal Code* require erosion and sediment controls for construction projects with land disturbance. The requirements include preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP); preparation and implementation of an erosion and sediment control plan, describing both construction-period and permanent erosion and sediment controls; and construction site inspection by the City. The project is subject to the provisions of the General Construction Activity Stormwater Permit adopted by the State Water Resources Control Board (SWRCB). The project applicant must submit a Notice of Intent (NOI) to the SWRCB for coverage under the Statewide General Construction Activity Stormwater Permit and must comply with all applicable requirements, including the preparation of a SWPPP, applicable NPDES Regulations, and best management practices (BMP). The SWPPP must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. Implementation of a SWPPP and applicable City and SWRCB requirements would ensure that runoff from construction of the project will not result in substantial erosion or flooding on- and off-site and impacts would be less than significant.

#### Post-construction Runoff and Erosion

The Water Quality Management Plan (WQMP) prepared for the Brightwater development takes into account the water quality treatment of the drainage area from the project site. Runoff from the project site will be conveyed to the Brightwater storm drain system, water quality flows will be diverted for treatment, reconnect to the peak flow storm drain and ultimately outlet to the Bolsa Chica Wetlands. The proposed post-development drainage design will utilize two on-site catch basins to capture storm water runoff and flow into an existing 24-inch storm drain system on Bolsa Chica Street that was installed as of the Brightwater development. The runoff will be diverted to a filtration system for treatment and outletted through a 66-inch pipe to the Bolsa Chica Wetlands. Whether the project proposes a new WQMP or an amendment to the existing Brightwater WQMP, the proposed project will be required to implement appropriate Low Impact Development BMPs to conform to the current NPDES Permit prior to discharge of runoff from the site.

Although the project does have the potential to contribute additional runoff, the project's proposed storm drain system will be designed to ensure that impacts would be less than significant. As such, the project, as designed and with implementation of a WQMP, would not result in substantial increases in the rate and volume of post construction runoff, which would impact the beneficial use of downstream waters. Finally, the proposed storm drain system would lessen the impact of uncontrolled storm flows into the adjacent open space areas that could cause environmental harm and sensitive resources. Less than significant impacts would occur.

Due to the relatively small size of the proposed residential project, the potential to substantially deplete groundwater supplies is minimal. Therefore, impacts to groundwater would be less than significant.

The project's design as well as required SWPPP, WQMP and hydrology and hydraulic studies, to be submitted in accordance with City of Huntington Beach standard development requirements, will identify project design features and BMPs for ensuring no significant impacts associated with polluted runoff and erosion would occur. In addition, the project design and drainage system would function to treat water and discharge into downstream waters. As such, impacts to water quality would be less than significant.

## 5.10 LAND USE PLANNING

*Would the project:*

- a) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Sources: 1,2,19,23)*

**Less Than Significant Impact.** The 5-acre project site and 0.3-acre City-owned parcel are currently designated as Open Space – Parks (OS–P) in the General Plan and zoned Residential Agriculture – Coastal Zone Overlay (RA–CZ). The site is undeveloped, although a portion of the property was used as a construction staging area for the adjacent Brightwater residential development. Applicable plans and policies regulating the subject site include the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and Municipal Code, the Huntington Beach General Plan and the City’s certified Local Coastal Program (LCP), which consists of the Coastal Element of the General Plan and an implementation program (IP). The Local Coastal Program carries out the policies and requirements of the California Coastal Act.

The project proposes to amend the General Plan land use designation from Open Space – Parks (OS–P) to Residential Medium Density – 15 dwelling units per acre (RM–15) for the western half (2.5 acres) of the site and maintain the existing land use designation of Open Space – Parks (OS–P) for the eastern half (2.5 acres) of the site and the City-owned parcel. The project proposes to amend the Residential Agriculture – Coastal Zone Overlay (RA–CZ) zoning designation for the project site (5 acres) and City-owned parcel (0.3 acre) to Specific Plan – Coastal Zone Overlay (SP–CZ). The project also consists of a zoning text amendment to establish the Windward Specific Plan for the development of the 5-acre project site and 0.3-acre City-owned parcel. Under the Specific Plan, the western half (2.5 acres) of the project site is designated for medium residential development while the eastern half (2.5 acres) and the City-owned parcel are designated for coastal conservation (public open space). In addition, the Local Coastal Program is proposed to be amended to reflect the land use changes.

The residential development consists of the subdivision and construction of 36 townhome units and associated improvements on the 2.5-acre portion of a 5-acre property. The project is proposing a one-lot subdivision in accordance with the Subdivision Map Act. The tentative tract map is also subject to Title 25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and is required to be reviewed by the City’s Subdivision Committee to ensure compliance with the Subdivision Map Act, Title 25 of the HBZSO and any other related applicable codes.

### Background

The subject property was originally zoned Single-Family Residential (R–1) and the General Plan Land Use designation was Low Density Residential when it was incorporated into the City of Huntington Beach in the early 1970s. When the California Coastal Act was enacted in 1976, the City began steps to certify a Local Coastal Program with the California Coastal Commission in order to obtain coastal development permit jurisdiction. As part of this process, the City designated an 8-acre area on the eastern edge of the Bolsa Chica Mesa, which included the subject site as well as a portion of what is now the Shea property, for Open Space – Recreation on the 1982 Land Use Plan that was certified by the Coastal Commission. After the Land Use Plan was certified, the Coastal Commission required the City to zone the 8-acre area to a designation that would correspond to the Open Space – Recreation land use designation as part of its submittal of the Implementation Program of the LCP. In 1984, the City re-zoned the area from R1–CZ to RA–CZ, which was reflective of the agricultural uses on the property. In 1985, the Coastal Commission certified a County Land Use Plan for that portion of the Bolsa Chica Mesa adjacent to the 8-acre area within County jurisdiction with a land use designation of low density residential.

### Zoning/Land Use Consistency

The proposed project, including the proposed zoning and general plan designations, would be consistent with surrounding land uses and existing surrounding zoning and land use designations. Properties to the north and northwest are zoned and developed with multi-family residential uses. The proposed General Plan and Specific Plan amendments to Residential Medium Density (RM) for the western half of the project site would be compatible with existing zoning and General Plan land use designations north and northwest of the site. As shown on Figures 2 and 3, properties to the north and northwest have the zoning and General Plan land use designations of Residential Medium High Density (RMH). Therefore, the change to RM zoning and General Plan land use designations would be compatible with current zoning and General Plan designations in the area.

Although the land use designation of the subject site is currently Open Space – Parks (OS–P), the existing zoning designation allows development of residential dwellings at a density of one unit per acre. Under the current zoning designation, five residential dwellings could be developed on the site. The project is proposing to develop the site with the same uses that are currently allowed but at a greater density, which is consistent with densities of surrounding developments.

The following Land Use goals, objectives and policies of the General Plan Coastal Element are applicable to the project:

Goal C 1: Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.

Objective C 1.1: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

Policy C 1.1.1: With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Policy C 1.1.3a: The provision of public access and recreation benefits associated with private development (such as but not limited to public access ways, public bike paths, habitat restoration and enhancement, etc.) shall be phased such that the public benefit(s) are in place prior to or concurrent with the private development but not later than occupation of any private development.

Policy C 1.1.5: New residential development should be sited and designed in such a manner that it maintains and enhances public access to the coast.

b) provide non-automobile circulation such as bike trails and pedestrian walkways within the development  
d) provide for the recreational needs of new residents through local park acquisition or on-site recreational facilities to assure that recreational needs of new residents will not overload nearby coastal recreation areas

The project, while proposing a change in the Land Use Plan from Open Space – Parks (OS–P) to Residential – Medium Density (RM), would not conflict with the land use goals and policies of the Coastal Element of the General Plan. As mentioned before, the project site is surrounded by residential developments to the north (multi-family condominium complex) and west (single-family Sandover and Brightwater developments), by the undeveloped Shea property to the east, and by the undeveloped Goodell property to the south. The portion of the Shea property directly abutting the project site is designated as Open Space – Conservation. The western 2.5 acres of the project site is proposed to be developed with residential uses. The eastern 2.5 acres of the project site would be preserved as open space areas. By locating the residential uses on the western portion of the project site, the new development would be in close proximity to existing residential developments to the north and west. Preserving the eastern portion of the project site as open space, sensitive biological and cultural resources would be protected since the area would be contiguous to

the Shea property conservation area. The clustering of residential and open space uses would ensure that new development will minimize impacts to coastal resources.

As part of the proposed residential development, approximately 8.7 acres of the 11 acres of privately owned property are proposed to be preserved as open space area. This would be a public benefit, providing passive recreational opportunities within the Bolsa Chica area. A trail system with interpretive signage and scenic overlooks is proposed for the 8.7-acre open space area in order to provide public access. In addition, the existing undeveloped 30-foot wide parcel north of the project site is proposed to be improved with an access trail that would connect to the trail system within Bolsa Chica. The design of the trail system takes into consideration the sensitive biological and cultural resources in some areas of the 8.7 acres, incorporating fencing to keep pedestrians on designated trails in order to minimize disturbances to existing habitat and native landscaping.

In addition to the improved coastal access, the project would provide a 3,800 square foot open space area is proposed within the development to provide a recreational area for new residents to ensure that the new residents would not overload coastal recreation areas. The project is in close proximity to similar developments, is consistent with the existing land use pattern in the area, and can be accommodated by existing infrastructure (refer to Section 5.17 Utilities & Service Systems). Although the proposed project would result in development on the Bolsa Chica Mesa, the eastern half of the project site and the existing slope adjacent to the project site would be preserved. In addition, the proposed drainage system would further protect the slope from potential impacts from runoff and erosion that could occur from development on the Mesa (refer to Section 5.6 Geology and Soils and Section 5.9 Hydrology and Water Quality). Other potential impacts, as analyzed within this document, have either been minimized through the project's design or can be mitigated so that all impacts would be less than significant.

#### Windward Specific Plan, HBZSO & Applicable Codes

The project applicant is proposing a zoning text amendment that would determine the land use, zoning, development standards, and infrastructure for the development site. The proposed development standards identify a wide range of requirements that would be applicable to the project site such as building heights, setbacks, parking, open space, landscaping, and lighting. The development standards proposed in the specific plan are similar to the residential standards of the HBZSO and Brightwater Specific Plan. Once constructed, the proposed residential units would be built with building heights and setbacks consistent with the surrounding developments. Overall, the specific plan is intended to facilitate the development of the proposed residential project and designation of open space areas. The proposed residential and open space uses would be consistent with the surrounding land uses. As mentioned before, properties to the north and northwest are zoned and developed with multi-family residential uses while the property to the east (Shea property) is designated as open space. The proposed zoning text amendment is appropriate for development within the context of the area.

The proposed project is required to comply with other requirements of the HBZSO including regulations pertaining to subdivisions and coastal development permits as well as applicable requirements of the Municipal Code. Additionally, the proposed zoning text amendment will be consistent with the following General Plan Land Use Element goals, policies and objectives:

Goal LU 9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

Objective LU 9.1: Provide for the development of single- and multi-family residential neighborhoods.

Objective LU 9.3: Provide for the development of new residential subdivisions and projects that incorporate a diversity of uses and are configured to establish a distinct sense of neighborhood and identity.

Policy LU 9.3.2: Require that the design of new residential subdivisions consider the following:

- b. Integrate public squares, mini-parks or other landscaped elements.

- h. Site and design of units and incorporate elements, such as porches, that emphasize front yards as an activity area and “outdoor living room,” by locating garages in the rear or side yards.
- i. Consider reduced street widths to achieve a more “intimate” relationship between structures, to the extent feasible and in accordance with Huntington Beach Fire Department regulations.
- k. Include alleys or other means to minimize the dominance of garages along the street frontage.

Based on the discussion above, the project will not conflict with applicable land use plans and regulations in the City of Huntington Beach and impacts would be less than significant.

- b) *Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources: 1)*

**No Impact.** The project would not conflict with any habitat conservation plan or natural community conservation plan as none are adopted for the City of Huntington Beach. No impact would occur.

- c) *Physically divide an established community? (Sources: 21)*

**No Impact.** The project involves Zoning and General Plan land use amendments for the subdivision and development of 36 multi-family dwelling units and associated improvements on a 2.5-acre portion of a 5-acre vacant property. The project does not propose new streets or infrastructure that would physically divide existing developed areas or require changes in access or services to existing developments. No impact would occur.

## 5.11 MINERAL RESOURCES

*Would the project:*

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources: 1)

**No Impact.** See discussion under item b.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (Sources: 1)

**No Impact.** The project consists of amendments to the existing General Plan and zoning land use designations for the subdivision and development of 36 multi-family dwelling units and associated improvements on a 2.5-acre portion of a 5-acre vacant property. Although Huntington Beach has been the site of oil and gas extraction since the 1920s, oil production has decreased over the years, and today, oil producing wells are scattered throughout the City. The subject site has historically been used for agricultural purposes and as such, would not result in the loss of a known mineral resource or recovery site. No impacts would occur.

## 5.12 NOISE

*Would the project result in:*

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: 1,19)*

**Less Than Significant Impact.** See discussion under item d.

- b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Sources: 1,19)*

**Less Than Significant Impact.** See discussion under item d.

- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1,19)*

**Less Than Significant Impact.** See discussion under item d.

- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources: 1,19)*

**Less Than Significant Impact.** The project consists of amendments to the existing General Plan and zoning land use designations for the subdivision and development of 36 multi-family dwelling units and associated improvements on a 2.5-acre portion of a 5-acre vacant property. The project site is located at the southeast corner of Bolsa Chica Street and Los Patos Avenue. The project site was historically used for agricultural purposes and is currently undeveloped, except for a portion of the site that was used for temporary construction headquarters for the adjacent Brightwater development. Surrounding land uses include multi-family residential to the north and northwest and single-family residential to the west. Properties to the south are undeveloped while those to the east are approved for single-family residential and open space/conservation uses and currently undergoing grading. Existing sources of noise and groundborne vibration in the area include motor vehicle traffic on the surrounding roads. Applicable City regulations include the General Plan Noise Element, which identifies goals, policies and objectives to ensure that new development does not create an unacceptable noise environment through siting, design and land use compatibility, and the City's Noise Ordinance, which regulates noise produced by uses, equipment, construction and people.

Construction of the proposed project will generate temporary noise impacts due to construction activities and equipments. Construction would occur in three to four phases with each phase lasting approximately five months. Construction activities would involve the use of standard equipments and tools. Each stage of construction would involve a different mix of operating equipment and noise levels would vary based on the number and type of equipment in operation and the location of the activity. According the Environmental Protection Agency data on the noise generating characteristics of typical construction equipment, the noise level of these equipment ranges between 68 to 98 dBA at 50 feet from the source. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. The closest sensitive uses to the proposed project site would be the residential uses, located approximately 75 feet to the north and west and 150 feet to the northwest. Due to the proximity of the surrounding residences to the project site, residents would potentially be affected by the construction noise occurring as a result of the proposed project. Most of the types of exterior construction activities associated with the proposed project would not generate continuously high noise levels, although occasional single-event disturbances are possible.

Under Section 8.40.090(d) (Special Provisions) of Chapter 8.40 of the City's Municipal Code, noise sources associated with construction are exempt from the requirements of the Municipal Code, provided that proper permit(s) from the City are obtained and construction activities do not occur between the hours of 8:00 PM and 7:00 AM on weekdays, including Saturday, or at any time on Sunday or a federal holiday. The project will be subject to compliance with Chapter 8.40 (Noise Control) of the Huntington Beach Municipal Code. Construction noise would be temporary and intermittent depending on the type of equipment being used and the stage of construction. Although construction of the proposed project would temporarily increase ambient noise levels in the neighborhood surrounding the project, construction would comply with applicable requirements of the City noise ordinance. Accordingly, construction related noise impacts would be less than significant.

Single-family duplex residences are not a source of substantial operational noise. Noise generated by the proposed residential uses would not be significantly different than existing noise conditions in the area generated by existing single- and multi-family residential uses and residential roadway noise. Noise generated by residences is generally limited to occasional nuisance noise, such as loud music or operation of landscaping equipment. Nuisance noises are prohibited in City Noise Ordinance Section 8.40.112, City Municipal Code Chapter 8.40. Additionally, Noise Ordinance Section 8.40.095 establishes regulations for the operation of leaf blowers, including time, distance, and duration restrictions. Enforcement of existing City regulations would ensure that the proposed residences would not result in excessive noise levels.

The proposed project does not include any new active uses in the proposed open space area. Although there may be an increase in daytime noise from the improvement of the 30-foot wide City-owned parcel as more people may use the path, this parcel is currently being used by the public and the level of use is not expected to increase significantly over current levels of use such that there would be a substantial increase in ambient noise. As such, the proposed project will not result in exposure of persons to excessive permanent noise levels or groundborne vibration exceeding existing levels or as established by the General Plan Noise Element and the City's Noise Ordinance. Less than significant impacts would occur.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1,19)*

**Less Than Significant Impact.** See discussion under item f.

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1,19)*

**No Impact.** The project site is located at the southeast corner of Bolsa Chica Street and Los Patos Avenue. The site is located within the Airport Environs Land Use Plan for the Joint Forces Training Base Los Alamitos, but is not located within two miles of a public or private airport. Less than significant impacts would occur.

## 5.13 POPULATION AND HOUSING

*Would the project:*

- a) *Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extensions of roads or other infrastructure)? (Sources: 1,21)*

**Less Than Significant Impact.** See discussion under item c.

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources: 1,21)*

**No Impact.** See discussion under item c.

- c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources: 1,21)*

**No Impact.** The project consists of amendments to the existing General Plan and zoning land use designations for the subdivision and development of 36 multi-family dwelling units and associated improvements on a 2.5-acre portion of a 5-acre property. The site is currently vacant; no existing homes or residents will be demolished or displaced. The project consists of a 36-unit multi-family development on a 2.5 acre site and would not induce substantial population growth in the City of Huntington Beach. Based on

the average household size of 2.6 persons per household in Huntington Beach, the proposed project would result in potentially 94 new residents in the City. This represents 0.04 percent of the total population of Huntington Beach, which would not be considered substantial population growth. In the context of cumulative growth, the City has not attained growth anticipated by the 1996 General Plan, which is at the end of its life cycle and currently being updated. The project would not induce substantial population growth either on its own or cumulatively in the context of General Plan buildout.

The RA zoning district permits single-family dwellings at a ratio of one unit per acre whereas the RM designation allows 15 units per acre. The subject project is proposing a density of 14.4 units per acre. Although, the proposed project represents an increase in allowable units and density than what is currently allowed, the proposed residential development on the project site would not result in substantial population growth in the context of allowed General Plan growth, nor in combination with anticipated and planned growth as identified in the City's 2013 Housing Element. In addition, the project will be required to comply with the City's affordable housing ordinance, which requires the provision of 10 percent of the total units to be affordable. Less than significant impacts would occur.

## 5.14 PUBLIC SERVICES

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

a) *Fire protection? (Sources: 1)*

**Less Than Significant Impact.** See discussion under item e.

b) *Police Protection? (Sources: 1)*

**Less Than Significant Impact.** See discussion under item e.

c) *Schools? (Sources: 1)*

**Less Than Significant Impact.** See discussion under item e.

d) *Parks? (Sources: 1,2)*

**Less Than Significant Impact.** See discussion under item e.

e) *Other public facilities or governmental services? (Sources: 1,2)*

**Less Than Significant Impact.** The project consists of amendments to the existing General Plan and zoning land use designations for the subdivision and development of 36 multi-family dwelling units and associated improvements on a 2.5-acre portion of a 5-acre vacant property. The residential development is proposing to provide a 3,800 square foot open space area. The project site is currently undeveloped, except for a portion of the site that was used for temporary construction headquarters for the adjacent Brightwater development. The nearest police station is the Harbour Substation, located approximately half a mile from the project site at 16889 Algonquin Street. The nearest Fire Station is Station No. 7 located at 3831 Warner Avenue at the intersection of Warner Avenue and Pacific Coast Highway. The project site is located within the Ocean View School District (grades K-8) and the Huntington Beach Union High School District. Five City parks, Bolsa Chica State Beach and the Bolsa Chica Ecological Reserve are all located within one mile of the project site.

The Fire and Police departments have reviewed the proposed development and have not indicated that the project would impact acceptable service levels. The Community Services Department has reviewed the request to amend the General Plan land use designation from Open Space – Parks to Medium Density Residential and has determined that impacts to parks would be less than significant due to the proximity of other parks within the area of the project site as well as the relatively small number of units proposed. The Ocean View School District (OVSD), which would serve the project, has indicated capacity issues and the need to potentially re-open a closed school site on previous development projects within the City and the OVSD service area boundaries. However, according to the 2015/2016 Student Population Projections Report prepared for the Ocean View School District by Davis Demographics & Planning, Inc., resident student population has been declining for the past decade and decreased slightly from the 2014/15 to 2015/16 school year. Nevertheless, the report indicates a potential for student growth over the next seven years and the proposed project could contribute to capacity issues and overcrowding at the schools serving the project site (potentially 11 elementary school students and three middle school students). Additionally, the project would be anticipated to add approximately 8 high school students based on student generation factors of the Huntington Beach Union High School District. Existing code requirements require the collection of fees under the authority of SB 50 (considered full mitigation under CEQA) to offset any increase in educational demand at the elementary and middle schools serving the project site. In addition, although the project is proposing to amend the General Plan and zoning land use designations, the increase in population and housing is within the allowable growth considered in the General Plan. Although the proposed project would not create a substantial increase in demand for public services, the project would be required to pay development impact fees for law enforcement, fire suppression, libraries, schools, and park fees (in accordance with Chapter 254 of the HBZSO) to offset any additional increase in demand for services. Less than significant impacts would occur.

## 5.15 RECREATION

*Would the project:*

- a) *Would the project increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Sources: 1)*

**Less Than Significant Impact.** See discussion under item c.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Sources: 1,22)*

**Less Than Significant Impact.** See discussion under item c.

- c) *Affect existing recreational opportunities? (Sources: 1)*

**Less Than Significant Impact.** The project consists of amendments to the existing General Plan and zoning land use designations for the subdivision and development of 36 multi-family dwelling units and associated improvements on a 2.5-acre portion of a 5-acre vacant property, including a 3,800 square foot (0.09 acres) open space area that would primarily serve the development. The project does have the potential to increase usage of recreational facilities in the City due to the introduction of new housing and potentially new residents to the area. The established standard for parks per the City's General Plan is five acres for every 1,000 residents. Based on the number of proposed dwellings and average household size in the City, the project could add approximately 94 people to the City's population (approximately 0.04 percent of the total population of the Huntington Beach). The proposed development would require 0.47 acres of parkland to meet the established standard for the project. The project is required to pay park fees to offset the increased demand and use created by the project and ensure established General Plan park acreage standards are maintained.

The project is proposing to improve an existing 30-foot wide City-owned parcel located immediately north of the project site with a decomposed granite trail with native landscaping that would provide access from Bolsa Chica Street to the project site open space area. Although this parcel is currently used by people that are familiar with the area, the improvements will provide for noticeable access from Bolsa Chica Street and will enhance public access opportunities.

The proposed Specific Plan and Development Agreement would ensure the preservation of 8.7 acres of open space and the expansion of passive recreational opportunities within the Bolsa Chica area. Designed with interpretive signage and scenic overlooks, a trail system is proposed for the open space area to provide public access to the recreational resource. Recognizing that biological and cultural resources exist in some areas of the 8.7 acres, the trail system is designed to keep users on the trails and out of sensitive biological and cultural areas. No improvements or construction with the potential to have adverse impacts on the environment is proposed within the open space areas. In this respect, the project would further recreational opportunities in the Bolsa Chica area.

The project site has an existing General Plan Land Use designation of Open Space – Parks (OS-P), which is proposed to be amended to Residential Medium Density (R-M) for the western half of the project site. However, the site is not developed with a park or recreational facility and is not listed on the City's inventory of parks. The site is privately owned and, according to the Community Services Department, no such facilities are planned for the project site. In addition, the Community Services Department has reviewed the proposed General Plan Amendment and, due to the small size of the project and the proximity of four parks within a half-mile of the project site, has indicated that the proposed change in land use designation would not present a significant impact in terms of existing or planned parks and recreational facilities. Therefore, the project's impacts on parks and recreational facilities, including existing recreational opportunities, would be less than significant.

## 5.16 TRANSPORTATION/TRAFFIC

*Would the project:*

- a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Sources: 1,15,22)*

**Less Than Significant Impact.** See discussion under item g.

- b) *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Sources: 1,15,22)*

**Less Than Significant Impact.** See discussion under item g.

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Sources: 1,15,22)*

**No Impact.** See discussion under item g.

- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? (Sources: 1,15,22)*

**Less Than Significant Impact.** See discussion under item g.

e) *Result in inadequate emergency access? (Sources: 1,15,22)*

**Less Than Significant Impact.** See discussion under item g.

f) *Result in inadequate parking capacity? (Sources: 1,15,22)*

**Less Than Significant Impact.** See discussion under item g.

g) *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Sources: 1,15,22)*

**No Impact.** The project consists of amendments to the existing General Plan and zoning land use designations for the subdivision and development of 36 multi-family dwelling units and associated improvements on a 2.5-acre portion of a 5-acre vacant property. Existing signalized intersections near the project site include Bolsa Chica Street and Warner Avenue and Warner Avenue and Algonquin Street. The intersections at Bolsa Chica Street and Warner Avenue and Warner Avenue and Algonquin Street are both operating at acceptable levels based on City standard criteria.

The proposed development will generate an average 209 new daily vehicle trips, of which 16 will occur in the AM peak hour and 19 in the PM peak hour. The intersections of Bolsa Chica Street and Warner Avenue and Algonquin Street and Warner Avenue were evaluated for traffic impacts. The results of the evaluation are summarized in the tables below. No changes in existing intersection capacity utilization (ICU) or level of service (LOS) would occur at either of the intersections with the proposed project. Less than significant impacts would occur.

*Existing Intersection Capacity Utilization (ICU) and Level of Service (LOS)*

<b>Intersection</b>	<b>AM Peak Hour– ICU</b>	<b>LOS</b>	<b>PM Peak Hour– ICU</b>	<b>LOS</b>
Warner/Bolsa Chica	0.56	A	0.53	A
Warner/Algonquin	0.51	A	0.55	A

*Project Intersection Capacity Utilization (ICU) and Level of Service (LOS)*

<b>Intersection</b>	<b>AM Peak Hour– ICU</b>	<b>LOS</b>	<b>PM Peak Hour– ICU</b>	<b>LOS</b>
Warner/Bolsa Chica	0.56	A	0.53	A
Warner/Algonquin	0.51	A	0.55	A

Construction related traffic may have an impact on existing parking, vehicle circulation, and pedestrians by construction vehicles entering or exiting the project site. As a result, vehicle delays may result along Bolsa Chica Street adjacent to the project site. However, impacts would be temporary and would not impact a large number of surrounding residential uses since the project site is located at the terminus of Los Patos Avenue and near the terminus of Bolsa Chica Street. These potential impacts would be reduced through implementation of code requirements requiring Department of Public Works approval of a construction traffic control plan. Trucks hauling construction materials would add a temporary increase in traffic on surrounding streets during construction. Due to the small nature of the project and the existing level of service on the surrounding streets, project construction traffic is not anticipated to be significant. The contractor would be required to comply with the haul routes of the City of Huntington Beach and obtain a haul route permit from the Department of Public Works.

The project is proposing to provide a two-car garage for each dwelling unit in accordance with the provisions of the Windward Specific Plan, which are consistent with the HBZSO. An additional unenclosed guest space is provided within the development for each additional residential unit. The total number of

parking spaces required for the project is provided within the development site. As such, the proposed project will not result in significant impacts due to inadequate parking capacity.

The proposed site access and driveway configuration do not propose privacy gates, sharp curves or dangerous intersections and are designed to comply with City standards. In addition, the project has been reviewed by the Huntington Beach Fire Department for adequate access and is required to comply with City Specification 401, *Minimum Standards for Fire Apparatus Access*. As such, the project would not result in inadequate emergency access. The project provides 9 required bicycle spaces and would not conflict with policies supporting alternative transportation. The project would not substantially increase air traffic levels or otherwise impact air traffic patterns. Less than significant impacts would occur.

## 5.17 TRIBAL CULTURAL RESOURCES

- a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
- i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
  - ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Sources: 5,6)*

**Potentially Significant Impact.** Pursuant to the requirements of AB 52, codified at Public Resources Code Section 21080.3.1(d)-(e), the City provided formal notification to the designated contact of the tribes that have requested notice from the City. No consultation was requested by the tribes. However, the mitigation measures identified in Section 5.5 Cultural Resources, have been identified to avoid or substantially lessen potential significant impacts to tribal cultural resources to less than significant.

## 5.18 UTILITIES AND SERVICE SYSTEMS

*Would the project:*

- b) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Sources: 1,21)*  
**Less Than Significant Impact.** See discussion under item e.
- b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: 1,21)*  
**Less Than Significant Impact.** See discussion under item e.
- c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources: 1,3,21)*

**Less Than Significant Impact.** As discussed in Section 5.9 Hydrology and Water Quality, the proposed post-development drainage design will utilize on-site catch basins to capture storm water runoff. Runoff will be conveyed to the Brightwater storm drain system, water quality flows will be diverted for treatment, reconnect to the peak flow storm drain, and ultimately outlet to the Bolsa Chica Wetlands. The proposed

post-development drainage design will utilize two on-site catch basins to capture storm water runoff and flow into an existing 24-inch storm drain system on Bolsa Chica Street that was installed for the Brightwater development. The runoff will be diverted to a filtration system for treatment and outletted through a 66-inch pipe to the Bolsa Chica Wetlands. Less than significant impacts would occur.

- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources: 1,21)*

**Less Than Significant Impact.** The Public Works Department has reviewed the project plans and did not identify any concerns regarding impacts to water supplies due to the relatively small number of units. The project would not result in an increase in water consumption such that it would present a significant impact to water supplies. In addition, the project is subject to compliance with the City's Water Ordinance, including the Water Efficient Landscape Requirements, as well as Title 24 conservation measures such as low flow fixtures, which ensure water consumption is minimized. In addition, the project is proposing the homes to be Energy-star rated, which maximizes appliance efficiency. The water demand for the proposed project can be accommodated by the City's water service capacity and less than significant impacts would occur.

- e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Sources: 1,21)*

**Less Than Significant Impact.** The project consists of amendments to the existing General Plan and zoning land use designations for the subdivision and development of 36 multi-family dwelling units and associated improvements on a 2.5-acre portion of a 5-acre vacant property, including a 3,800 square foot (0.09 acres) open space area. The project will take access from Bolsa Chica Street, which was extended in 2006 for the Brightwater development. When the extension of Bolsa Chica Street was constructed in 2006, sewer, domestic water and storm drain improvements were constructed in the street for the Brightwater development. Those existing sewer, water, and storm drain lines are readily available in Bolsa Chica Street and have adequate capacity to serve the proposed project. The Orange County Sanitation District (OCSD) provides regional wastewater collection, treatment and disposal services for the City of Huntington Beach. OCSD has two operating facilities that treat wastewater from residential, commercial, and industrial sources in central and northwest Orange County. No existing capacity issues have been identified in the OCSD system, and OCSD has developed plans and commenced plant improvements anticipated to meet area demands to the year 2050. Based on current OCSD flow factors, the proposed project would generate approximately 3,451 gallons of wastewater per day per acre.

All connections to existing wastewater infrastructure will be designed and constructed in accordance with the requirements and standards of the City of Huntington Beach and the OCSD. Compliance with applicable Waste Discharge Requirements, as monitored and enforced by the OCSD, would ensure that the proposed project would not exceed applicable wastewater treatment requirements of the Santa Ana Regional Water Quality Control Board (SARWQCB) with respect to discharges to the sewer system. Less than significant impacts would occur.

- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Sources: 1,21)*

**Less Than Significant Impact.** See discussion under item g.

- g) *Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: 1,19,21)*

**Less Than Significant Impact.** Rainbow Environmental Services is the exclusive hauler of all solid waste for the City of Huntington Beach. Rainbow Environmental Services operates a Transfer Station, located at 17121 Nichols Street within the City of Huntington Beach, and two Materials Recovery Facilities (MRFs)

through which all solid waste is processed. Rainbow Environmental Services' Transfer Station has a design capacity of 2,800 tons per day, and current utilization ranges between 53 and 71 percent. In addition, the two MRFs sort and separate all waste and recycle appropriate materials further reducing the waste generation going to the landfills.

Prior to 2008, Assembly Bill (AB) 939 required a 50 percent diversion of solid waste by the year 2000. Based on 2006 data, the City of Huntington Beach maintained a 71 percent diversion rate from the Orange County landfills, which exceeded the AB 939 requirement. In 2008, California enacted Senate Bill (SB) 1016, which established a per capita disposal rate target of 10.4 pounds per person per day (PPD). According to the City's annual reports to CalRecycle, the City's PPD rate was 5.4 in 2015, demonstrating compliance with SB 1016.

The Orange County Integrated Waste Management Department (IWMD) currently owns and operates three active landfills that serve the Orange County region, including: Frank R. Bowerman Landfill in Irvine; Olinda Alpha Landfill in Brea; and Prima Deshecha Landfill in San Juan Capistrano. All three landfills are permitted as Class III landfills and have a combined design capacity of 20,500 tons per day. Solid waste from the project site would be sent to the Frank R. Bowerman Landfill in Irvine. Permitted capacity for the landfill is limited to 8,500 tons per day. However, if the per day capacity is reached at the Bowerman Landfill, trucks are diverted to one of the other two landfills: Olinda Alpha in Brea (capacity 8,000 tons/day) and Prima Deshecha in San Juan Capistrano (capacity 4,000 tons/day) in the county.

The solid waste contribution to any of the three landfills that serve the project site would be minimal when compared to their allowed daily capacity. Given the size and use of the project, it is not expected to generate a substantial amount of daily waste products in the long term nor as a result of construction. Accordingly, the project is not anticipated to noticeably impact the capacity of existing landfills that will serve the use. The project is subject to compliance with all federal, state, and local statutes and regulations related to solid waste and no exceptions to those standards are proposed. With Rainbow Disposal able to accept all construction waste from the project site and with sufficient current and future landfill capacity, the solid waste impacts resulting from the proposed project would be less than significant.

- h) *Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands?) (Sources: 1,3,19,21)*

**Less Than Significant Impact.** Refer to item c above. In addition, the Water Quality Management Plan (WQMP) for the Brightwater and Windward projects identifies Best Management Practices (BMPs) to reduce impacts to water quality. The proposed storm drain system and identified BMPs would not create additional environmental impacts as discussed in this section and in Section 5.9 Hydrology and Water Quality. Less than significant impacts would occur.

## **5.19 MANDATORY FINDINGS OF SIGNIFICANCE**

- a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources: 1-24)*

**Potentially Significant Impact.** The project does have the potential to impact special status species, specifically southern Tarplant and Burrowing Owls. However, the recommended mitigation measures discussed in Section 5.4 Biological Resources will ensure that impacts will be reduced to a less than significant level. As discussed in Section 5.5 Cultural Resources, the project site is within a recorded archeological site. Although it is not anticipated that intact resources exist at the site, due to previous excavation, mitigation measures have been incorporated to address impacts to cultural resources in the

event that intact deposits are encountered during project grading and construction. As discussed throughout this initial study, potential impacts that would degrade the quality of the environment would be less than significant.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources: 1-24)*

**Less Than Significant Impact.** As discussed in Sections 5.1 to 5.18, the project is not anticipated to have significant cumulatively considerable impacts due to the relatively small scale and nature of the project as well as implementation of project design features and standard City codes and policies that would further reduce impacts. Although the project is proposing to amend the General Plan land use designation, the project is consistent with the General Plan in terms of foreseeable growth in the City. It does not represent a significant negative impact to the environment or goals of the City. Less than significant impacts are anticipated.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1-24)*

**Less Than Significant Impact.** As discussed in Sections 5.1 to 5.18, all potential impacts that could have environmental effects on humans as a result of the project have been found to be less than significant due to the relatively small scale and nature of the project as well as implementation of project design features and standard City codes as well as other applicable codes and policies. As such, impacts would be less than significant.

## 6.0 EARLIER ANALYSIS/SOURCE LIST.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). Earlier documents prepared and utilized in this analysis, as well as sources of information are as follows:

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Huntington Beach General Plan	City of Huntington Beach Community Development Department, 2000 Main Street, Huntington Beach and at <a href="http://www.huntingtonbeachca.gov/Government/Departments/Planning/gp/index.cfm">http://www.huntingtonbeachca.gov/Government/Departments/Planning/gp/index.cfm</a>
2	City of Huntington Beach Zoning and Subdivision Ordinance	City of Huntington Beach City Clerk's Office, 2000 Main Street, Huntington Beach and at <a href="http://www.huntingtonbeachca.gov/government/elected_officials/city_clerk/zoning_code/index.cfm">http://www.huntingtonbeachca.gov/government/elected_officials/city_clerk/zoning_code/index.cfm</a>
3	Water Quality Management Plan for Brightwater and Windward Developments (Stantec, Revised August 2016)	City of Huntington Beach Community Development Department, 2000 Main Street, Huntington Beach
4	Geotechnical Feasibility Study (LGC, Inc., September 2008)	“
5	Archaeological Abstract: Archaeological Site CA-ORA-86 (Scientific Resources Surveys, Inc., May 2009)	“
6	Archaeological Abstract: Assessment of Excavations on CA-ORA-86 (Scientific Resources Surveys, Inc., April 2013)	“
7	CalEEMod Emissions Modeling (LSA, August 2016)	“
8	Biological Resources Assessment (LSA, March 2010)	“
9	Updated Biological Resources Assessment (LSA, August 2016)	“
10	Preliminary Drainage Report (Stantec, July 2016)	“
11	City of Huntington Beach Geotechnical Inputs Report	“
12	FEMA Flood Insurance Rate Map (December 3, 2009)	“
13	CEQA Air Quality Handbook South Coast Air Quality Management District (1993)	“

14	City of Huntington Beach CEQA Procedure Handbook	“
15	Trip Generation Handbook, 9 <sup>th</sup> Edition, Institute of Traffic Engineers (2012)	“
16	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Oct. 17, 2002)	“
17	State Seismic Hazard Zones Map	“
18	Hazardous Waste and Substances Sites List	<a href="http://www.calepa.gov/sitecleanup/cortese">www.calepa.gov/sitecleanup/cortese</a>
19	City of Huntington Beach Municipal Code	City of Huntington Beach City Clerk’s Office, 2000 Main Street, Huntington Beach and at <a href="http://www.huntingtonbeachca.gov/government/charter_codes/municipal_code.cfm">http://www.huntingtonbeachca.gov/government/charter_codes/municipal_code.cfm</a>
20	Summary of Mitigation Measures	Attachment No. 1
21	Project Narrative (September 6, 2016)	Attachment No. 2
22	Reduced Project Plans (January 17, 2017)	Attachment No. 3
23	Code Requirements Letter (February 25, 2017)	Attachment No. 4
24	Draft Proposed Zoning Text Amendment (February 16, 2017)	Attachment No. 5
25	Draft Development Agreement (February 17, 2017)	Attachment No. 6